

THE
HISTORY
OF THE
REBELLION AND CIVIL WARS
IN
ENGLAND,

Begun in the Year 1641.

With the precedent Passages, and Actions, that contributed thereunto, and the happy End, and Conclusion thereof by the KING's blessed RESTORATION, and RETURN upon the 29th of May, in the Year 1660.

Written by the Right Honorable

EDWARD Earl of CLARENDON,

Late Lord High Chancellor of England, Privy-Counsellor
in the Reigns of King CHARLES the First and the Second.

Klῆμα ἱσ' αὐτ. Thucyd.

Ne quid Falsi dicere audeat, ne quid Veri non audeat. Cicero.

V O L. III.

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THE
History of the Rebellion, etc.
B O O K IV.

THE City of *London*, as the Metropolis of *Eng-* B O O K
land, by its Situation the most capable of trade, IV.
and by the most usual residence of the Court, and The State and
the fixed Station of the Courts of Justice for the temper of the
public administration thereof throughout the King- City of Lon-
dom, the chief seat of trade, was, by the successive don at that
countenance and favor of Princes, strengthened time.
with great Charters and Immunities, and was a
Corporation governed within itself; the Mayor,
Recorder, Aldermen, Sheriffs, chosen by them-
selves; several Companies incorporated within the
great Corporation; which, besides notable Privileges,
enjoyed Lands, and perquisites to a very great
revenue. By the incredible increase of Trade, which
the distractions of other Countries, and the Peace
of this brought, and by the great licence of resort
thither, it was, since this King's access to the
Crown, in Riches, in People, in Buildings mar-
vellously increased, insomuch as the Suburbs were
almost equal to the City; a Reformation of which
had been often in contemplation, never pursued,
wise men foreseeing that such a Fulness could not
be there, without an Emptiness in other places;

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B O O K whilst so many persons of Honor and Estates were
 IV. so delighted with the City, the Government of the Country must be neglected, besides the excess, and ill husbandry, that would be introduced thereby. But such foresight was interpreted a Morosity, and too great an oppression upon the Common Liberty; and so, little was applied to prevent so growing a Disease.

As it had these, and many other advantages and helps to be Rich, so it was looked upon too much of late time as a Common Stock not easy to be exhausted, and as a body not to be grieved by ordinary Acts of injustice; and therefore as it was a place of resort, in all cases of necessity, for the sudden borrowing great sums of money, in which they were commonly Merchants too good for the Crown, so it was become a practice, upon any specious pretences, to void the Security that was at any time given for money so borrowed.

Thus after many questionings of their Charter, which were ever removed by considerable sums of money, a Grant made by the King in the beginning of his Reign (in consideration of great sums of money) of good quantities of Land in *Ireland*, and of the City of *Londonderry* there, was voided by a Suit in the *Star-Chamber*; all the Lands, after a vast expence in building and planting, resumed into the King's hands, and a fine of Fifty Thousand pounds imposed upon the City. Which Sentence being pronounced after a long and public Hearing, during which time, they were often invited to a Composition, both in respect of the substance, and the

circumstances of proceeding, made a general impression in the minds of the Citizens of all conditions, much to the disadvantage of the Court; and though the King afterwards remitted to them the penalties of that Sentence, they imputed that to the power of the Parliament, and rather remembered how the benefit of their Grant had been taken from them, than by whom it was restored; so that, at the beginning of the Parliament, the City was as ill affected to the Court as the Country was; and therefore chose such Burgeesses to sit there, as had either eminently opposed the Court, or accidentally been oppressed by it.

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The chief Government and Superintendency of the City is in the Mayor, and Aldermen; which, in that little Kingdom, resembles the House of Peers; and the Common-Council is the representative body thereof, like the House of Commons, to order and agree to all Taxes, Rates, and such particulars belonging to the Civil policy. The Common-Council are chosen every year, so many for every Parish, of the wisest, and most substantial Citizens, by the Vestry, and common convention of the People of that Parish; and as the wealthiest, and best reputed men were commonly chosen, so, though the Election was once a year, it was formerly scarce ever known, that any man Once chosen was afterwards rejected or left out, except upon discovery of an enormous crime, and decaying in fortune to a Bankrupt: otherwise, till he was called to be Alderman, or died, he continued, and was every year returned of the Common-Council.

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After the beginning of this Parliament, when those who steered at *Westminster* found by their experience in the Case of the Earl of *Strafford*, of what consequence the City might be to them, and afterwards found by the courage of the present Lord Mayor, Sir *Richard Gourney*, who cannot be too often or too honorably mentioned, that it might be kept from being disposed by them; and that the men of wealth, and ability, who at first had concurred with them, begun now to discern that they meant to lead them further than they had a mind to go; they directed their Confidants, that at the Election of the Common-Council-men by the concurrence and number of the meaner people. all such who were Moderate men, and Lovers of the present Government, should be rejected; and in their places men of the most Active and Pragmatical heads, of how mean fortunes soever, should be elected. And by this means that body in great part now consisted of Upstart, Factionous, Indigent companions, who were ready to receive all advertisements and directions from *Westminster*, and as forward to encroach upon their Superiors, the Mayor, and Aldermen. And so this firebrand of Privilege inflamed the City at that time.

That They might gratify the City in procuring a better Answer, than they had received from the King to their Petition, and that they might more expose his Majesty to their Affronts, the House resumed the business of the Tower again, with the old reflections upon the removal of the former Good Lieutenant, and the putting in a rude person and

of a desperate fortune, as they called him, that he might use such Prisoners, as there was an intent to send thither, in such a manner as he should be directed; and that the person, who was since put in, had put the City into great apprehensions by the observation that was made, that he took great store of provisions into the Tower, as if he made provision for a greater Garrison, which raised great jealousies; and there was a Petition brought, and delivered to the Houses in the Names of several Merchants, who used to trade to the Mint; in which they desired that there might be such a person made Lieutenant of the Tower, "as they could " Confide in" (an Expression that grew from that time to be much used) without which no man would venture Bullion into the Mint, and by consequence no Merchant would bring it into the Kingdom. Whereas in truth there was no Gentleman of the Kingdom of a better reputation amongst all sorts of men, and there had been more Bullion brought into the Mint in the short time of His being Lieutenant, than had been in many Months before; and amongst those persons, which so solemnly delivered that Petition, and had all subscribed it, there were very few who had ever sent any Silver into the Mint. However the House entertained the complaint as very reasonable, and sent for a Conference with the Lords; with whom they prevailed to join with them in a desire to the King, "that he would " remove Sir *John Byron* from being Lieutenant of " the Tower," which the King for some time refused

BOOK to do, till they pressed it in another manner;
 IV. which shall be mentioned anon.

The Commit-
 tee of the
 Commons
 still trans-
 acts in the
 City.

The Committee, that still continued to Sit in *London*, intended no other business, but their own Privileges; sent for, and examined, as hath been said, all men, who had attended his Majesty, or had been casually present in the Hall, or at the doors of the Commons House when the King was there; and all such Examinations, as testified any extravagant discourse uttered by any loose fellow, who had accidentally put himself into the company, though it appeared he had no relation to the King's Service, were carefully Entered, and Published; but such as declared the King's strict command against any Violence, or disorder, and his positive Charge, that no man should presume to follow him into the House of Commons (as full proof was made to them of those particulars) were as carefully Suppressed, and Concealed.

The Sheriffs of *London* had been directed to appoint a Guard to attend the Committee, whilst it should continue there; and then to guard the Houses when they should again sit at *Westminster*. The accused persons, who lodged all this time in the City, were brought to the Committee with much state, and sat with them to devise some way to Vindicate themselves.

A Declara-
 tion of the
 Commons
 touching the
 five Members.

Then a Declaration was agreed upon by the Commons only, in which was set forth, "that the
 " Chambers, Studies, and Trunks of Mr. *Hollis*,
 " Sir *Arthur Haslerig*, Mr. *Pym*, Mr. *Hambden*,
 " and Mr. *Strode*, had been by color of his Majesty's

“ Warrant sealed up ; which was not only against B O O K
 “ the Privilege of Parliament, but the common IV.
 “ liberty of every Subject ; that the same Members
 “ had been the same Day demanded by a Serjeant
 “ at Arms to be delivered to him, that he might
 “ Arrest them of High-Treason ; that the next day
 “ his Majesty came to the House in his own person,
 “ attended by a multitude of Armed men in a
 “ Warlike manner with Halberds, Swords, and
 “ Pistols, who came up to the very door of the
 “ House, and placed themselves there, and in other
 “ places, and passages near to the House, to the
 “ great terror and disturbance of the Members
 “ then Sitting ; that his Majesty, sitting in the
 “ Speaker’s Chair, demanded the persons of those
 “ Members to be delivered to him ; which was a
 “ high breach of the Rights, and Privileges of
 “ Parliament, and inconsistent with the Liberties
 “ and Freedom thereof ; that afterwards his Majesty
 “ did issue forth several Warrants to divers Officers
 “ under his own hand, for the apprehension of
 “ their persons, which by Law he could not do.”
 And thereupon they declared, “ that if any person
 “ should arrest Mr. *Hollis*, &c. or any other Member
 “ of Parliament, by pretence of any Warrant issuing
 “ out from the King, he was guilty of the breach
 “ of the Privilege of Parliament, and a public Enemy
 “ of the Common-wealth ; and that the arresting
 “ any Member of Parliament, by any Warrant
 “ whatsoever, without consent of that House, where-
 “ of he is a Member, is a breach of the Privilege
 “ for Parliament : and the person that shall so arrest

BOOK IV. " him, is declared a public Enemy of the Common-wealth."

They published, that it did fully appear by several Examinations, " that many Soldiers, Papists and others, to the number of about five hundred, came with his Majesty, to the House of Commons, armed; and that some of them, holding up their Pistols cocked near the door of the House, which they kept open, said, I am a good Marksman, I can hit right, I warrant you: and said, they would have the door open; and if any opposition was made, they made no question but they should maintain their Party;" and that some said, a Pox take the House of Commons, let them be Hanged. And when the King returned from the House, they expressed great discontent asking, when comes the *word*; that some of them being demanded what they thought the company intended to have done, answered, that questionless in the posture they were set in, if the *word* had been given, they should have fallen upon the House of Commons, and have cut all their throats: upon which they said they were of opinion, that the Soldiers and Papists coming in that manner with his Majesty was to take away some of the Members of the House, and if they should have found opposition, or denial, then to have fallen upon the House in a Hostile manner."

And they did thereupon declare, " that the same was a Traiterous design against the King and Parliament. And whereas the persons accused had, with the approbation of the House, absented

“ themselves from the Service of the House, for BOOK
 “ avoiding the great and many inconveniencies, IV.
 “ which otherwise might have happened; since
 “ which time, a Printed Paper in the form of a
 “ Proclamation had issued out for the apprehending
 “ and imprisoning them, suggesting, that through
 “ the conscience of their Guilt they were absent,
 “ and fled;” they did further declare, “ that the
 “ said Printed Paper, was False, and Scandalous,
 “ and illegal; and that notwithstanding that Printed
 “ Paper, or any Warrant issued out, or any other
 “ matter against them, they might and Ought to
 “ attend the service of the House, and the Com-
 “ mittees then on foot; and that it was lawful for
 “ all persons whatsoever to lodge, harbour and con-
 “ verse with them, and whosoever should be
 “ questioned for the same should be under the
 “ Protection, and Privilege of Parliament.”

And they declared, “ that the publishing the
 “ Articles of High-Treason against the persons ac-
 “ cused, was a high breach of the Privilege of
 “ Parliament, a great Scandal to his Majesty, and
 “ his Government, a Seditious act manifestly tending
 “ to the Subversion of the Peace of the Kingdom,
 “ and an injury, and dishonor to the Members;
 “ and that the Privileges of Parliament; and Li-
 “ berties of the Subject so violated and broken,
 “ could not be fully, and sufficiently Vindicated,
 “ unless the King would be graciously pleased to
 “ discover the Names of those persons, who advised
 “ him to do the particular Acts before mentioned,
 “ that they might receive Condign Punishment.”

B O O K This strange Declaration, so contrary to the
IV. known rules and judgments of Law, and to the known practice and proceedings of Parliament, was no sooner framed and agreed upon in the Committee, than it was printed, and published throughout the City, and Kingdom, before it was Confirmed by, or Reported to, the House; which is against the custom of Parliament. For, by that custom, no Act done at any Committee should be divulged before the same be Reported to the House.

The truth is, it cannot be expressed how great a Change there appeared to be in the countenance and minds of all sorts of People; in Town and Country, upon these late proceedings of the King. They, who had before even lost their Spirits, having lost their credit, and reputation, except amongst the meanest people, who could never have been made use of by them, when the greater should forsake them; and so despaired of ever being able to compass their designs of Malice, or Ambition (and some of them had resumed their old resolutions of leaving the Kingdom) now again recovered greater Courage than ever, and quickly found that their credit and reputation was as great as ever it had been; the Court being reduced to a lower condition, and to more disesteem and neglect than ever it had undergone. All that they had formerly said of Plots and conspiracies against the Parliament, which had Before been laughed at, was Now thought true and real; and all their fears, and jealousies looked upon as the effects of their great Wisdom and Foresight. All that had been Whispered of

Ireland, was now talked Aloud and Printed; as all other Seditious Pamphlets and Libels were. The Shops of the City generally shut up, as if an Enemy were at their Gates ready to enter, and to plunder them; and the People in all places at a Gaze, as if they looked only for Directions, and were then disposed to any undertaking.

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On the other side, They, who had, with the greatest courage and alacrity, opposed all their Seditious practises, between Grief and Anger were confounded with the consideration of what had been done, and what was like to follow. They were far from thinking that the accused Members had received much Wrong, yet they thought it an Unseasonable time to call them to an Account for it. That if any thing had been to be done of that kind, there should have been a fitter choice of the Persons, there being many of the House, of more mischievous inclinations, and designs against the King's person, and the Government, and who were more exposed to the Public Prejudice, than the Lord *Kimbolton* was; who was a Civil, and well-natured man, and had rather kept ill Company, than drank deep of that infection and poison, that had wrought upon many others. Then Sir *Arthur Haslerig*, and Mr. *Strode*, were persons of too Low an account and esteem; and though their Virulence, and Malice, was as conspicuous, and transcendent as any man's, yet their reputation, and interest to do mischief otherwise than in concurring in it, was so small, that they gained credit and authority by being joined with the rest, who had indeed a great Influence. How-

B O O K ever, since there was a resolution to proceed against
IV. Those men, it would have been much better to have caused them to have been all Severally arrested, and sent to the Tower, or to other Prisons, which might have been very easily done before suspected, than to send in that manner to the Houses with that Formality, which would be liable to so many exceptions. At least, they ought so far to have imparted it to Members in both Houses, who might have been trusted, that in the Instant of the Accusation, when both Houses were in that Consternation (as in great consternation they were) somewhat might have been pressed Confidently towards the King's satisfaction; which would have produced some opposition and contradiction, and might have prevented that Universal concurrence and dejection of Spirit, which seized upon, and possessed both Houses.

But above all, the anger, and indignation was very great and general, that to all the other oversights and presumptions was added the exposing the Dignity, and Majesty, and Safety of the King, in his coming in Person, in that manner, to the House of Commons; and in going the next day, as he did, to the *Guild-Hall*, and to the Lord Mayor's, which drew such Reproaches upon him to his Face. All which was justly imputed to the Lord *Digby*, who had before fewer true Friends than he deserved, and had now almost the whole Nation his Enemies, being the most Universally odious of any man in it.

When the House of Commons had Passed such Votes from the Committee at *Merchant-Taylors-Hall*,

as they thought necessary, and had once more B O O K
Adjourned thither, the Committee asked the advice IV.
of the House, whether the accused Members might
be present with them (who had in truth directed,
and governed all their proceedings from the time
they Sat there) which was not only approved,
but those Members required to attend the House
the next day it was to sit, and so to continue the
service of the House, which was then Adjourned
for three or four days, that the City might appear
in such a posture, as should be thought convenient.

The noise was so great of the preparations made
in the City to bring the accused Members in Triumph
to the Parliament, and that the whole Militia would
accompany them, whilst the Seamen and Mariners
made an appearance in Barges, and other Vessels
upon the *Thames to Westminster*, that the King
thought it convenient to remove again from *White-*
Hall, and so on the tenth of *January*, which was
the Eve to that great Festival, his Majesty, the
Queen, and the Royal Children, went from *White-*
Hall to *Hampton-Court*, waited on by some few of
their own Household Servants, and thirty or forty
of those Officers, who had attended at *White-Hall*
for security against the tumults.

The King
and the Roy-
al Family,
remove to
Hampton-
Court.

Before His going, he sent to the Earls of *Essex*
and *Holland* to attend him in this journey, who
were both by their Places, the one being Lord
Chamberlain of his Household, the other the first
Gentleman of his Bed-Chamber or Groom of the
Stole, Obligated to that Duty. The Earl of *Essex*
resolved to go, and, to that purpose, was making

B O O K IV. himself ready, when the Earl of *Holland* came to him, and privately dissuaded him, assuring him, that if They two went, they should be both Murdered at *Hampton-Court*; whereupon they left the King to his small retinue in a most disconsolate, perplexed condition, in more need of comfort and Counsel, than they had ever known him; and instead of attending their Master in that exigent, they went together into the City, where the Committee Sat, and where they were not the less welcome for being known to have been invited to have waited upon their Majesties. They who wished the King best, were not sorry that he Then withdrew from *White-Hall*; for the insolence, with which all that people were transported, and the animosity, which was infused into the hearts of the people in general against the Court, and even against the Person of the King, cannot be expressed.

Whilst the Committee Sat in *London*, the Common-Council, likewise met, as hath been said, to the end they might be ready to comply in any particulars should be desired from the City; and so the Committee having Resolved, "that the
"actions of the Citizens of *London*, or of any other
"person whatsoever for the defence of the Par-
"liament, or the Privileges thereof, or the pre-
"servation of the Members thereof, were according
"to their duty, and to their late Protestation, and
"the Laws of this Kingdom:" and if any person should arrest, or trouble any of them for so doing, he was declared "to be a public Enemy of the
"Common-wealth:" and in the next place having

Resolved, "that that Vote should be made known B O O K
 "to the Common-Council of the City of *London*," I V.
 the accused Members about two of the Clock in
 the Afternoon on the eleventh of *January*, being
 the next day after the King went to *Hampton-Court*,
 came from their lodgings in the City to *Westminster*,
 guarded by the Sheriffs, and Trained-bands of *London*
 and *Westminster*, and attended by a conflux of many
 thousands of People besides, making a great clamor
 against Bishops, and Popish Lords, and for the
 Privileges of Parliament; some of them, as they
 passed by *White-Hall*, asking with much contempt,
 "what was become of the King and his *Cavaliers*?
 "and whither he was gone?"

The accused
 Members are
 brought in
 Triumph to
 Westminster,
 Jan. 11.

From *London-bridge* to *Westminster*, the *Thames*
 was guarded with above a hundred Lighters and
 Long-boats, laden with small pieces of Ordnance,
 and dressed up with Wast-cloths and Streamers,
 as ready for Fight. And that the Trained-bands of
London might be under the command of a person
 fit to lead them, they granted a Commission to
 Captain *Skippon*; who was Captain of the Artillery-
 Garden, to be Major-General of the Militia of the
 City of *London*; an Office never before heard of,
 nor imagined that they had authority to constitute.
 The man had served very long in *Holland*, and
 from a common Soldier raised himself to the degree
 of a Captain, and to the reputation of a good
 Officer; he was a man of order and sobriety, and
 untainted with any of those vices which the Officers
 of that Army were exercised in; and had newly
 given over that service upon some exceptions he

B O O K had to it, and, coming to *London*, was by some
 IV. Friends preferred to that Command in the Artillery-
 Garden, which was to teach the Citizens the exercise
 of their Arms. He was altogether illiterate, and
 having been bred always abroad, brought disaffection
 enough with him from thence against the Church
 of *England*, and so was much carested and trusted
 by that Party.

This man marched that day in the head of their
 tumultuary Army to the Parliament-House, where
 the accused Members were no sooner entered, than
 they magnified, "the great kindness and affection
 " they had found in the City, and their zeal to
 " the Parliament, and if their expressions of it, upon
 " this extraordinary occasion, had been somewhat
 " unusual, that the House was engaged in honor
 " to Protect and defend them from receiving any
 " damage." Whereupon the Sheriffs of *London* were
 called into the House of Commons, and thanked by
 the Speaker for their extraordinary care, and love
 expressed to the Parliament; and told, "that they
 " should have an Ordinance of Parliament for their
 " Indemnity, declaring that all their actions of
 " respect and kindness, which they had showed to
 " the Lords and Commons in *London*, and their
 " attending them to, and at *Westminster*, was legal
 " and justifiable." The Masters and Officers of
 Ships were likewise called in, and most heartily
 thanked for their kindness; and Serjeant-Major-
 General *Skippon* appointed every day to attend at
Westminster, with such a Guard as he thought
 sufficient for the two Houses. There was one cir-
 cumstance

cumstance not to be forgotten in the march of the Citizens that day, when the show by Water was little inferior to the other by Land, that the Pikemen had fastened to the tops of their pikes, and the rest in their hats or their bosoms, printed Papers of the Protestation which had been taken, and enjoined by the House of Commons the year before for the defence of the Privilege of Parliament; and many of them had the printed Votes of the King's breaking their Privileges in his coming to the House, and demanding their Members.

As soon as the Citizens and Mariners were discharged, some *Buckinghamshire*-men, who were said to be at the Door, with a Petition, and had indeed waited upon the Triumph with a train of several thousand men, were called in; who delivered their Petition in the name of the Inhabitants of the County of *Buckingham*, and said it was brought to the Town by about six thousand men. " They com-
 " mended the unwearied pains of the House of Com-
 " mons, for the redress of the pressures they had
 " lain under, but complained that the success was
 " not answerable, their endeavours being frustra-
 " ted or retarded by a Malignant faction of Popish
 " Lords, Bishops, and Others; and now of late,
 " to take all that little hope, was left, from them, of
 " a future reformation, the very Being of the Parlia-
 " ment was shaken, the Privileges thereof broken
 " in a desperate and unexampled manner, and the
 " Members thereof unassured of their lives, in whose
 " safety, the safety of Them, and their Posterity was
 " involved. They held it therefore their duty accord-
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B O O K
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The Bucking-
 hamshire-
 men's Petition
 to the House of
 Commons.

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“ ing to their late Protestation to defend, and maintain the Persons and Privileges thereof, to the utmost power of their Lives and Estates; to which purpose, they said, they were then come to make the humble tender of their Service, and would remain in expectation of their Commands and Order; to the execution whereof they would with all alacrity address themselves, ready to live by them, or to die at their feet, against whomsoever should in any sort illegally attempt upon them.

“ They besought them therefore to assist the ardent prayers of the Petitioners, that the Popish Lords and Bishops might be forthwith outed the House of Peers; that all Privileges of Parliament might be confirmed to them, and that all evil Counsellors, the *Achans* of the Common-wealth, might be given up to the hands of Justice; without all which, they said, they had not the least hope of *Israel's* peace, or to reap those glorious advantages, which the fourteen Months seed-time of their unparalleled endeavours had given to their unsatisfied expectations.”

When they had received thanks for their wonderful affection, and were told, that “ by the great care of the City of *London*, the parliament was sufficiently guarded and assured; and therefore that they might depart to their Houses till further occasion appeared, of which they should be sure to be informed;” One of them said, “ they had another Petition, which they meant to prefer to the King; but desired their advice, whether that House would vouchsafe

“ to recommend it, or whether they themselves
 “ should deliver it.” For That, they received New
 thanks; and were wished “ that six, or eight of them
 “ should present it to his Majesty in the name of the
 “ rest;” for the House saw their Wisdom and modera-
 tion such, that they presumed they of Themselves
 were very able to manage that business.

When they had thus caressed the Commons, they
 went to the House of Lords with another Petition, They also Peti-
 tion the House
 of Lords.
 complaining “ of the malignant factions, which
 “ rendered the endeavours of the House of Commons
 “ successless;” and said “ that in respect of that late
 “ attempt upon the Honorable House of Commons,
 “ they were come to offer their Service, as resolved
 “ in their just defence to live and die. And therefore
 “ they did humbly pray, that most Honorable House
 “ would co-operate with the House of Commons, in
 “ speedily perfecting the most necessary work of
 “ Reformation, bringing to condign and exemplary
 “ punishment both wicked Counsellors, and other
 “ Plotters, and Delinquents; and that the whole
 “ Kingdom might be put into such a present posture
 “ of Defence, that they might be safe both from all
 “ practices of the malignant Party at home, and the
 “ endeavours of any ill affected States abroad.” The
 Lords were as Civil to them as the Commons had
 been, and gave them great thanks. And from thence
 they went to find out the King with their Petition to They Petition
 the King.
 Him; in which they complained, “ that Mr. *Hamb-*
 “ *den*, whom they had chosen Knight of their Shire,
 “ and in whom they had ever good cause to Confide,
 “ was, to their great amazement, accused amongst

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IV.

" the others, of High-Treason. They said, that having taken into their serious consideration the manner of their Impeachment, they could not but conceive that it did oppugn the Rights of Parliament, to the maintenance whereof their Protestation did bind them; and they did believe, that the malice, which his, and the others Zeal to his Majesty's Service, and the State, had raised in the Enemies of his Majesty, the Church, and the Commonwealth, had occasioned that foul Accusation, rather than any ill deserts of Theirs; and that through Their sides the judgment and care of the Petitioners and others were wounded, by whose choice they were presented to the House; and therefore they did humbly desire his Majesty that Mr. *Hamdden*, and the rest, who lay under the burden of that Accusation, might enjoy the just Privileges of Parliament." So from this day we may reasonably date the Levying of War in *England*; whatsoever hath been since done being but the Superstructures upon those foundations, which were then laid.

The House of Commons received the Votes passed by their Committee in the City, and added more.

The Members being in this manner placed again upon their Thrones, and the King retired with his poor family to *Hampton-Court*, they reviewed their Votes, which had passed in the Committee in the City, which they had caused every night to be printed without staying for the confirmation of the House; and where they had any defect, as they thought, or by the interpretation of others, they supplied them with more strength and Authority. So they provided and declared, " that no Member of Parliament

“ should be arrested upon any pretence whatsoever.” B O O K
 And because it had been insisted on that they would IV.
 not make any Declaration so much against the known
 Law, which allowed no Privilege in the case of
 Treason, Felony, or breach of the Peace, they
 now added that “ even in the Case of Treason no
 “ Member ought or could be arrested, or proceeded
 “ against, without first informing the House of which
 “ he was a Member, of the Charge and Evidence
 “ against him, and receiving Their leave and direc-
 “ tion for the proceeding against him.” And that
 men might hereafter be more wary how they were
 made instrumental in bringing any reproach upon
 them, they Appointed a Committee to prepare a
 Charge against *Herbert* the King’s Attorney General
 for presuming to accuse the Members of High-
 Treason; which was made ready accordingly, and
 prosecuted with wonderful vigor, as will be re-
 membered hereafter.

They resolved that the King should not enjoy much
 ease and quiet in his retreat; and therefore every day
 sent some Committee or other to him with Petitions
 and expostulations: a Committee of Lords and Com-
 mons attended him with a grievous complaint of the
 Breach of Privilege, they had sustained by his coming
 to the House; and desired him “ that he would inform
 “ them who had given him that pernicious Counsel,
 “ that such evil Counsellors might be brought to
 “ justice, and receive condign punishment.” And
 when they found that the Lord *Digby*, whom they
 generally believed to be the Author and contriver of
 all that transaction, though they could have no

- B O O K** evidence of it, had withdrawn himself from Court, and they well enough knew had transported himself beyond the Seas, they brought Witnesses to the Bar, who affirmed, " that there were, on such day, several " Officers, whereof the unbeloved *Lunsford* was " one, assembled together at *Kingston upon Thames* " near *Hampton Court*; and that the Lord *Digby* " came thither to them in a Coach with six Horses " from *Hampton Court*, and conferred with them a " long time, and then returned again thither." They were well satisfied with the evidence, and forthwith accused him to the House of Peers of High Treason, for the Levying of War against the King and Parliament; and a Proclamation was shortly issued out for his Apprehension, when all the Town knew, that he was safely arrived in *Zeeland*. They resumed the consideration of the Lieutenant of the Tower; and upon new information that much provision was sent in thither every day, they sent for Sir *John Byron*, who appeared at their Bar, and gave so full answers to all the questions they asked of him, that they could not but dismiss him. However they sent again to the King to remove him, and put a fitter man into the place, and recommended Sir *John Coniers* to him, as a man in whom they could Confide; and because they did not speedily receive such an Answer as they liked, they appointed their Major-General *Skippon* to place such Guards about the Tower, as might prevent the carrying in more provision of victuals thither, than would serve for one day's consumption; notwithstanding which, the King would not consent to their desire.

The Lord
Digby accused
of High Treason upon pre-
sence of his
Levying War
at Kingston
upon Thames.

All Men were now in union in both Houses: the Lords had not yet recovered the Courage to dissent in any one Proposition made to them from the Commons; and in Their House no Man durst presume to Debate the matter of Privilege, how far it extended, and in what Cases it was of no Moment, lest he might be thought to be privy to, and a Counsellor of, that heinous Breach, which had given them all this Credit. In this consent and concurrence, all the Votes which had passed at the Committee in *London*, and which had been by them communicated to the Common-Council, and so divulged throughout the City and Kingdom, were confirmed; and those who objected against any expressions, which were not warrantable, reprehended for taxing the discretion of the Committee.

And in one day both Houses agreed in, and executed three Acts of Sovereignty, even of as high a nature as any they have since ventured upon; the first, "in commanding the Sheriffs of *London*, by, "and with the advice of their new Serjeant-Major-General *Skippon*, to place a Guard upon, that is "to besiege the Tower of *London*. to hinder the going in of any Provisions, or going out of any Arms or Ammunition;" the second, "in appointing Sir *John Hotham* to go to *Hull*, which will be mentioned anon;" the third, "in sending an Order to the Governor of *Portsmouth*, that no body should be admitted into that Town and Fort, "or suffered to pass from thence, or any thing to be disposed of there, but by order from the King signified by both Houses of Parliament."

BOOK

IV.

After this, a message was resolved upon to be sent to the Governor of the Prince, "that he should not suffer the Prince to be transported out of the Kingdom, as he would answer the breach of Trust reposed in him concerning Religion, and the Honor, Safety, and Peace of the three Kingdoms;" and they declared, "that any Person, who should persuade or attend upon him in such transportation, should be under the same Censure."

With these high Acts of Public Concernment they joined the vindication of themselves from the late

The Commons
examine the
Attorney
General
touching the
impeach-
ment of the
five Mem-
bers.

Trespass; and to that end caused the Attorney General to be publicly examined upon Interrogatories, "whether he did contrive, frame, or advise the Articles of Impeachment against the Members that were accused? whether he knew the truth of them upon his Own knowledge, or by information? whether he would undertake to make them good, when he should be thereunto called? from whom he received them, and by whose direction or advice he did exhibit them? whether he had any testimony or proof of them before the exhibiting?" And having received his Answer,

His Answer.

"that he had neither framed, nor advised them, nor knew any thing of the truth of them, nor could undertake to justify them, but that he had received them from the King, and was by him commanded to exhibit them;" they presently declared, "that he had broken the Privilege of Parliament in preferring those Articles, and that the same was illegal, and he Criminal for so doing; and that a Charge should be sent to the Lords,

They Vote a
Charge a-
gainst him,

“ in the name of the House of Commons, against
 “ the Attorney General, to have satisfaction for
 “ the great scandal, and injury to the Members
 “ thereof, unless he did within five days bring in his
 “ Proof, and make good the Articles against them.”

B O O K
 IV.

So that they had now raised to themselves an unquestionable stock of security, when they had declared, “ that they might neither be apprehended
 “ by a Warrant under the King’s own Hand, nor
 “ accused by his Attorney General, except Them-
 “ selves were willing:” and they who had concluded it most exactly just, that the House of Peers must Imprison their own Members, as fast as the Commons accused them of High-Treason, and, by that rule, had, within less than a week before, freed themselves of twelve Bishops, who always opposed their designs (and in a case, where every Man’s Conscience absolved them of the Guilt, of which they were charged) thought it now Unanswerable reason to condemn the Justice of the King’s proceedings; “ because if a man should be committed and
 “ imprisoned as soon as the King accused him of
 “ High-Treason, the Parliament might by conse-
 “ quence be Dissolved; since he might successively
 “ accuse the whole Body;” which Logic, if they had not pleased to Vote the contrary, would have run as well in their own case, upon their own Licence of accusing, and more dangerously in respect of the House of Peers, which might possibly indeed have been thereby Dissolved.

Though the King had removed himself out of the noise of *Westminster*, yet the effects of it followed

BOOK him very close; for besides the *Buckinghamshire*-
 IV. Petitioners, who alarmed him the same, or the next
 day after he came to *Hampton Court*, several of the
 same nature were every day presented to him, in
 the name of other Counties of the Kingdom; all
 which were Printed, and scattered abroad with the
 Declaration of the Lord *Digby's* Levying War at
Kingston upon Thames, and the Proclamation for
 apprehending him; all which being so industriously
 dispersed, and without any color, or ground of
 danger, but only that the Kingdom might be inured
 to the style of the two Houses, and exercised in
 their commands against the time that they meant to
 be in earnest, gave the King reason to remove in
 few days from *Hampton Court*, to his Castle at
Windfor, where he could be more secure from any
 sudden popular Attempt; of which he had reason
 to be very apprehensive, when after those high
 Acts of Sedition at *London* and *Westminster* were
 declared to be according to the Laws of the Land,
 and the Protestation lately taken, that Protestation
 was by a new Order enjoined to be administered
 throughout the Kingdom, and the Names of all
 those who refused to take it, which there was reason
 to believe many would upon Their new Glosses,
 returned to the House of Commons, who were as
 severe Inquisitors as could be found any where.

The King
 removes to
Windfor.

Thence sends
 a message to
 both Houses.

From thence his Majesty sent a Message to both
 Houses, " That he took notice, that his proceedings
 " against those Persons, whom he had accused
 " (naming them) were conceived by many to be
 " illegal, and not agreeable to the Privilege of Par-

“liament, and that he was so desirous to give satis- B O O K
 “faction to all men in all matters that might seem 1V.
 “to have relation to Privilege of Parliament, that
 “he would wave his former proceedings; and all
 “doubts being by that means settled, when the
 “minds of Men were composed, he would proceed
 “against them in an unquestionable way; and he
 “assured both Houses, that, upon all occasions, he
 “would be as careful of their Privileges as of his
 “Life, or his Crown. To which he added, that,
 “in all his proceedings against those Persons, he
 “had never the least intention of violating the
 “least Privilege of Parliament; and in case any
 “doubt of breach of Privilege remained, he would
 “be willing to assert it by any reasonable way his
 “Parliament should advise him to; and therefore
 “he desired them forthwith to lay by all jealousies,
 “and apply themselves to the public and pressing
 “Affairs, and especially to those of *Ireland*, where-
 “in the good of the Kingdom, and the true
 “Religion, which should ever be his first care,
 “were so highly and so nearly concerned. And
 “he desired them, that his care of Their Privileges
 “might increase their care of His Lawful Preroga-
 “tive, which was so necessary to the mutual de-
 “fence of each other, and both would be the foun-
 “dation of a perpetual and perfect intelligence be-
 “tween his Majesty and Parliaments, and of the
 “happiness and prosperity of his People.”

But this Message was not such as they looked for;
 there seemed still to be left a time for prosecution,
 and though the error in Form seemed to be consented

BOOK to, yet the Substance and Matter of the accusation
 IV. might be still insisted on. And therefore they took no notice of it, but proceeded in inflaming all Men with the sense of the breach of Privilege; and finding the general mettle somewhat to abate, that they might keep up the apprehension of danger, and the esteem of their Darling the City, they consult about Adjourning both Houses into *London*; but finding some danger of infringing the Act of Parliament, from whence some advantage might be taken to their prejudice, till that power might be cleared by a Law, they were contented to Adjourn their Houses as they had done for some days, and to appoint Committees, qualified with more power than the Houses had, to meet in *London*; which for the convenience of the Common-Council, who took up the *Guild-Hall*, chose to sit in *Grocers-Hall*.

The Houses
 appoint Com-
 mittees to sit
 in Grocers-
 Hall.

It was wondered, that having all places so much at their devotion, they would remove from their more convenient seats at *Westminster*; where they might transact whatsoever they desired without interruption, and where they were only disturbed by their own direction. But the advantage they reaped by it was extraordinary; for, besides the fears they dispersed abroad, and the confidence they gave their own Friends of the City by being with them, they were sure, for the most part, to have a Committee to their own hearts desire; since, besides many out-of-Laziness or Indignation would not attend the Service in so inconvenient a place, very many, who troubled them most in their Counsels, Durst not in earnest go thither, for fear of uncomely Affronts,

if not danger, their names being published in the tumults as Disaffected persons; and They were those indeed, which constituted the Malignant Party, which they prayed against: and they found it much easier to transact any thing contrived and framed by such a Committee, than originally offered and debated in either House, before the mystery was understood by their Profelytes, and when those, who too well understood it, did render their designs sometimes ineffectual.

The minds of Men throughout the Kingdom being now prepared to receive all their Dictates with reverence, and to obey all their Orders, and to believe that all their Safety consisted in, and depended upon their Authority, and there being few within the House who had Courage to oppose and contradict them, they sent to the Lords to quicken them in the Bill they had formerly sent to them concerning removing the Bishops out of their House; which now, when there were so many of them Prisoners in the Tower, they presumed would not meet with so great an opposition. In the House of Commons they called to have the Bill read, which had lain so long there, the same that had been brought in by St. John for the settling the Militia of the Kingdom; to which they Now added "the putting all the Forts, Castles, and Garrisons into the hands of such Persons as they could *Confide* in;" which was the expression they used, when they had a mind to remove any man from a place, of which he was justly possessed, "that they could not *Confide* in him," which they thought to be

B O O K

IV.

The Commons
go upon St.
John's Bill of
the Militia,
and pass it.

B O O K
IV.

reason enough to displace any man. When this Bill had been with much ado accepted, and first read, there were few men who imagined it would ever receive further countenance: but now there were few, who did not believe it to be a very necessary provision for the Peace and Safety of the Kingdom. So great an impression had the late proceedings made upon them; so that with little opposition it passed the Commons, and was sent up to the Lords.

Upon the disbanding the late Army in the North, all the Artillery, Arms, and Ammunition, that was provided for that Service, had been by the King's command sent to *Hull*, where it still remained; and his Majesty intended it should be kept there, for a Magazine upon all occasions. And he had a little before these late passages sent the Earl of *New-Castle* thither, with a private Commission to be Governor thereof, as soon as it should be fit to publish such a Command; and in the mean time by his own Interest to draw in such of the Country, as were necessary to Guard the Magazine. But nothing the King did in the most private manner, but was quickly known to those from whom it should most have been concealed. And so the Earl of *New-Castle* was no sooner gone, but notice was taken of it; and he had not been three days in *Hull*, before the House of Peers sent for him, to attend the Service of that House, which he had rarely used to do, being for the most part at *Richmond* attending upon the Prince of *Wales*, whose Governor he was. He made no haste to return upon the Summons of the House, but sent to the King to know His pleasure;

who not thinking matters yet ripe enough to make any such Declaration, appointed him to come away; upon which he appeared in the House, without being asked where he had been. B O O K
IV.

But both Houses shortly after moved the King, "that the Magazine at *Hull* might be removed to the Tower of *London*, which would be very necessary for the quieting the minds of that Country, and abating the Fears and Jealousies in the hearts of very many, who did apprehend some design in the keeping so much Ammunition in the Northern parts:" and his Majesty not giving them a speedy Answer, they sent down Sir *John Hotham*, whose Estate lay within three or four miles of *Hull*, and he had some command of the Trained-bands, to be Governor thereof, and to draw in such of the Country as He thought fit for the place." Both Houses
move the
King that the
Magazine at
Hull might
be removed to
the Tower.

And though *Hotham*, had concurred with them in all their violent ways, yet they well knew that he was not possessed with their Principles in any degree, but was very well affected in his judgment to the Government both in Church and State, but had been first engaged by his particular malice against the Earl of *Strafford*, and afterwards terrified by their Votes against Sheriffs and Deputy-Lieutenants; and therefore they sent his Son, a Member likewise of the House, and in whom they more Confided, to assist him in that Service, or rather to be a Spy upon his Father. And this was the first Essay they made of their Sovereign power over the Militia and the Forts, whilst their Bill was yet depending, and was a sufficient manifestation what they intended They send
both the
Hothams
to *Hull*.

BOOK to do, when it should be passed; towards which
IV. they made all the haste they could, exercising the King's patience every day with some disagreeable Message to him, upon their Privileges, and requiring "vindication; and reparation, and discovery of the "persons who had promoted that Prosecution." And though the Council once a week attended upon his Majesty at *Windfor*, he could not freely consult with them upon what most concerned him.

In this sad condition was the King at *Windfor*, fallen in ten days from a Height and Greatness that his Enemies feared, to such a Lowness, that his own Servants durst hardly avow the waiting on him. For though, it is true, the Acts of the House of Commons, and the Tumults, were as great affronts to Majesty, before this last Act upon the Members, as any that could be imagined possible to succeed, yet the House of Peers was Then well disposed, and might have been managed with a little patience, to have blasted all the extravagances of the Commons. And the truth is, the greatest extravagances appeared to the standers by to be but the attempts of persons in Despair, and the strugglings of men at the last Gasps. And, without doubt, if the King could have had the patience to have sat still a Spectator of the Dissensions between the two Houses, and encouraging the Lords, who were firm to him, and putting those matters in issue, wherein the Commons had invaded both His and the Lords Privileges; if he had commanded his Council at Law and the Judges, to have proceeded by the strict rules of the Law against Seditious persons at large, for Preaching
and

and Printing against the peace of the Kingdom, and put the Commons House either to have been quiet, whilst their Champions were exemplarily punished (which would have put a speedy end to their Licence) or to have appeared the Champions for an Infamous Act against the Law and the Justice of the Kingdom, their Jurisdiction would probably in a short time have been brought within the due Limits, and the stoutest Factor for the violent Party been glad to have compounded for an Act of Oblivion.

B O O K
IV.

And I have heard from Credible Persons, that the Chief of that Faction afterwards confessed, that if that extraordinary Accident had not happened to give them New Credit and Reputation, they were sinking under the weight of the Expectation of those whom they had deluded, and the Envy of those whom they had oppressed. I am sure, they who out of Conscience, and Loyalty to their King and Country, diligently attended the Public Service, were strangely surpris'd at the matter and manner of that accusation; and foresaw, from the minute, the infinite disadvantage it would bring to the King's affairs. Not that they thought the Gentlemen accused, less Guilty; for their extreme dishonest acts in the House were so visible, that nothing could have been laid to their charge incredible: but the going through with it was a matter of so great difficulty and concernment, that every Circumstance ought to have been fully deliberated, and the several parts distributed into such hands, as would not have shaken in the execution. And the saying, that the King had not Competent Persons enough, whom

B O O K he might trust in so important a Secret (which I
 1V. believe was true) is rather an Argument, that the thing was not to be attempted at all, than that it was to be attempted in That manner; for whoever would have betrayed the Trust, would be sure to find fault with it, when it was endeavoured without him, especially if it miscarried. The truth is, there was little reason to believe, that the House of Peers would commit the Lord *Kimbolton* upon the Accusation of Mr. Attorney in that conjuncture of time; and less that the House of Commons would deliver up their Members to the Serjeant at Arms, when they should be demanded; which was an Irregular thing, and implied unreasonably, that They had some Power to Keep them, Who were desired to deliver them. Yet if the choice had been better made, and the several Persons first Apprehended, and put into distinct close Custodies, that neither any Body else should have heard from them, nor they one from another, all which had not been very difficult, the high Spirit of both Houses might possibly have been so dejected, that they might have been Treated withal. But even that attempt had been too great for the Solitary State the King was in at that time; which was most naturally to have been improved by standing upon his guard, and denying all that was in his Power to deny, and in compelling his Ministers to execute the Law in Those Cases that demonstrably concerned the Public Peace.

The Committee
 at Grocers-Hall

The Committee at *Grocers-Hall*, very much exalted to find no opposition in any thing they desired

from both Houses, resolved to make what advantage they could of that Season of their Power; and therefore not vouchsafing to return any Answer to the King's Message of retraction, they concluded upon "a new Remonstrance to be made of the State
 " of the Kingdom; in which they would present
 " to the King's view the causes of the present evils
 " and distractions, and propose to him, by way
 " of Advice, the Remedies that in Their opinion
 " he was to apply to those evils.

B O O K

IV.

design a new
Remonstrance

" The Causes they agreed to be, the evil Council
 " about the King and Queen, disposing all occur-
 " rences of State, and abusing the King's Authority
 " and Power to the prejudice of Religion, the ha-
 " zarding the public Peace, and strengthening a
 " Malignant Party in the Kingdom; the influence,
 " which the Priests and Jesuits had upon the affec-
 " tions and Counsels of the Queen, and the admission
 " of her Majesty to intermeddle with the Great
 " Affairs of State, and with the disposing of places
 " and preferments of the Highest concernment in
 " the Kingdom; whereby those of great power and
 " authority were engaged to favor Such designs, as
 " were infused into her Majesty by those of that
 " Religion: the want of a due reformation of the
 " Church Government, and Liturgy then used; the
 " want of a Preaching Ministry, and a competent
 " maintenance for them; the over-strict pressing
 " of divers Ceremonies in the Liturgy and Rubric,
 " and the pressing other Ceremonies not enjoined
 " by Law; the Votes of the Popish Lords in the
 " House of Peers, which was a hindrance of the

The matter
they prepared
for it.

BOOK IV. “ reformation, and a protection of themalignant Party;
 “ the preferring such as had adhered to Delinquents,
 “ and the displeasure showed against those who had
 “ been used as Witnesses in the Prosecution of
 “ them; the breaches of the Privileges of Parlia-
 “ ment; and the managing the great affairs of the
 “ Realm in Cabinet-Councils by men unknown, and
 “ not publicly trusted; the preferring men to degrees
 “ of honor and offices, and displacing others, in
 “ Parliament-time, and without the consent of that
 “ Council, and many other particulars; to which
 “ they thought these Remedies most natural, and
 “ proper to be applied.

“ That all Privy-Counsellors, and others of trust
 “ and employment beyond the Seas, should be re-
 “ moved from their Places, and only such admitted,
 “ as should be recommended to the King by both
 “ Houses of Parliament; and that such Counsellors
 “ and Officers, as should be so displaced, and not
 “ again recommended, should not have access to
 “ the Courts of the King and Queen: that all Priests,
 “ Papists, and ill affected persons, though pro-
 “ fessing the Protestant Religion, should be removed
 “ from the Queen’s person, and from having any
 “ Office or employment under her, and that all her
 “ Servants should take Such an Oath as should be
 “ devised by Parliament; that he, or she would
 “ not at any time directly, or indirectly by Him,
 “ or Herself, or any other, move or petition, or
 “ solicit her Majesty in any matter concerning the
 “ State, and Government of the Kingdom, or con-
 “ cerning any favor or immunity to be conferred

“ upon any Papists, or for any honor, preferment, B O O K
“ or employment of any person whatsoever. IV.

“ That the King would remove from about his
“ own person, and the Queen's, and from both their
“ Courts, Mr. *William Murray*, Mr. *Porter*, Mr.
“ *John Winter*, and Mr. *William Crofts*, being all
“ persons of evil fame, and Disaffection to the
“ public Peace and prosperity of the Kingdom, and
“ instruments of Jealousy and discontent between
“ the King and the Parliament: that the King would
“ not entertain any advice or mediation from the
“ Queen in matters of Religion, or concerning the
“ Government of any of his Dominions, or for the
“ placing or displacing of any great Officers, Coun-
“ sellors, Ambassadors, or Agents beyond the Seas,
“ or any of his Servants attending his Royal per-
“ son either in his Bed-Chamber, or Privy-Cham-
“ ber, or attending the Prince, or any of the
“ Royal issue after they shall attain to the age of
“ Five years:

“ That the Queen should take a solemn Oath, in
“ the presence of both Houses of Parliament, that
“ she would not hereafter give any Counsel, or use
“ any mediation to the King, concerning the dispo-
“ sing of any Offices or Places above mentioned, or
“ at all intermeddle in any affairs of State, or Govern-
“ ment of the Kingdom: that all Officers and Coun-
“ sellors, that should be employed in any of the Pla-
“ ces before mentioned, should take a solemn Oath,
“ that they had not made use of any power or media-
“ tion of the Queen directly, or indirectly, for their
“ preferment, or in obtaining any such Place or em-

B O O K “ ployment : That the affairs of the Kingdom should
 IV. “ not be concluded or transacted by the advice of
 “ Private men, or by any unknown or unsworn
 “ Counsellors, but such matters as were fit for the
 “ Council, by the Privy-Counsellors only; and such
 “ as were fit for the Parliament, by the Parliament
 “ only;

“ That no person whatsoever, under the penalty of
 “ Treason, should presume to solicit, or further
 “ any proposition for the Marriage of any of the
 “ King's Children with any Prince or Person of the
 “ Popish Religion; and that no Marriage for any of
 “ the King's Children should be concluded with any
 “ Prince or Person whatsoever, without the Con-
 “ sent and Advice of both Houses of Parliament:
 “ That none of the King's Children, except the
 “ Princess *Mary* then affianced, should at any time
 “ go beyond the Seas without the consent of both
 “ Houses of Parliament; and that no person under
 “ penalty of High-Treason should assist, or attend
 “ any of his Majesty's Children in any such voyage
 “ beyond the Seas, without the like consent of both
 “ the Houses of Parliament.

“ That no Mass, or Popish Service, should be
 “ said in the Courts of the King or Queen, or in the
 “ House of any Subject of the Kingdom; and that
 “ more Laws should be made against the Papists;
 “ and all the Priests which were condemned, should
 “ be forthwith executed. That the Votes of Popish
 “ Lords might be taken away; and a Reformation
 “ made of the Church-Government, and Liturgy
 “ by the Parliament; and that no Penalty should be

" incurred for omission of any Ceremony, till the
 " Reformation should be perfect: That all Delin-
 " quents should be subject to such penalties and for-
 " feitures as should be agreed on, and imposed by
 " Bill, in both Houses of Parliament; That such as
 " should be declared in Parliament to adhere to any
 " Delinquents, and had thereupon received any
 " preferment from the King, should be removed
 " from such preferment; and such as should be
 " declared by both Houses to have been employed
 " and used against Delinquents, and had thereupon
 " fallen into the King's displeasure, and been put
 " from their Places, should be restored to their
 " Places, and his Majesty's favor:

" That every person, who, being a Member of
 " the House of Commons in that Parliament, had
 " been accused of any offence against that House,
 " and, the accusation depending, had been called
 " up to the House of Lords in the quality of a Peer,
 " should by Act of Parliament be put out of that
 " House; and that hereafter no Member of the
 " House of Commons should without Their con-
 " sent be called up to be a Peer, except in case of
 " Descent: That no person, which should here-
 " after be made a Peer of the Realm, should be
 " admitted to have his Seat, or Vote in the House
 " of Peers, without the consent of both Houses of
 " Parliament: That those Members of the House
 " of Commons, who had this Parliament been called
 " to the House of Peers, except in case of Descent
 " should be excluded from giving their Votes in the
 " House of Peers, unless both Houses of Parlia-

BOOK IV. "ment should assent thereunto: That no Mem-
 "ber of either House of Parliament should be pre-
 "ferred or displaced, sitting the Parliament, with-
 "out the consent of that House, whereof he was
 "a Member: That Such of either House as had
 "been preferred to any Place, or Office, during
 "the Parliament, might be put out of those Places:
 "That the King would declare the Names of those
 "who advised him to the accusation of the Members,
 "and all the particulars that ensued upon that accusa-
 "tion; and that he would make public Declaration
 "and promise in Parliament, never more to receive
 "information from any man to the prejudice of any
 "Member of either House, for any thing done in
 "that House, without discovering the Name of
 "such person who gave him such information."

These, and many other particulars of the like nature, were the results of that Committee at *Grocers-Hall*; which I insert here, being the proper time of their Birth, that the world may see, what their Projections were in the Infancy of their visible power and advantage, though they were not digested into avowed Propositions till long after, as the effects of riper divisions, and fuller grown jealousies. For by that time they had shaped and framed these Devices, they found the eyes of the People not so universally shut as they had been; and that the King's Coming to the House of Commons, or the accusing the Members, was not more spoken of than the Tumults, and the Driving the King out of *London*, and not suffering him to be quiet at *Hampton-Court*. Then the Lords begun to take New courage, and though

they were somewhat intoxicated with the fears and jealousies concerning their Privileges, yet they thought Trespases of that kind capable of reparation, and so were willing to receive any Overture from the King to that purpose. It was concluded therefore, "the time was not yet ripe to do all at once, till "more men were engaged," and resolved, "with "more patience to win their ground by inches."

The King continued at *Windſor* to expect the end, or the issue of this tempest; and finding that they hardly would take notice of his former Messages, but proceeded in the High-ways of Destruction, for he had advertisement of their most secret combinations, resolved to send such a Message to the two Houses, whose United reputation was yet too great to struggle with, as might at least divide Those, who desired the public Peace, from the Ministers of Confusion: and so on the 20th of *January* sent this proposition and Message to them in writing; "For preventing "those evils, which the manifold Distractions "threatened to the Kingdom; that They would with "all speed fall into a serious consideration of all those "particulars, which they held necessary, as well for "the upholding and maintaining the King's just and "Regal Authority, and the settling his Revenue, as "for the present and future establishment of Their "Privileges, the free and quiet enjoying of their "Estates, and fortunes, the liberties of their persons, the security of the true Religion now professed in the Church of *England*, and the settling of "Ceremonies in such a manner, as might take away "all Just offence; which when they should have di-

The King's
proposition
and Message to
both Houses
Jan. 20.

B O O K “gested, and composed into one entire body, that
 IV. “so his Majesty and themselves might be able to
 “make the more clear judgment of them, it should
 “then appear, by what his Majesty would do, how
 “far he had been from intending, or designing any of
 “those things, which the too great Fears and Jealousies
 “of some persons seemed to apprehend; and how
 “ready he would be to equal, and exceed the greatest
 “examples of the most Indulgent Princes in their
 “Acts of grace and favor to their People; so that if
 “all the present Distractions, which so apparently
 “threatened the ruin of the Kingdom, did not, by
 “the Blessing of Almighty God, end in a happy and
 “blessed accommodation, his Majesty would Then
 “be ready to call Heaven and Earth, God and Man,
 “to witness, that it had not failed on His part.”

This Message was received by the Lords with great signs, of joy, insomuch that they desired the Commons to join with them in returning their thanks to his Majesty for his Gracious offers, and to assure him, “that they would forthwith apply themselves
 “to those considerations, he proposed.” However the next day they joined together in a Petition to the King, “that he would, in very few days, send in his Proofs, and Proceed against the
 “Members he had accused of High-Treason, or declare Them to be Innocent, and Himself to be
 “ill advised;” to the which he Answered, “that he was ready to proceed against them, but that there
 “might be no new mistakes in the way, and Form of the proceedings, he desired, that it might be
 “first resolved, whether his Majesty were bound in

Both Houses
 Petition the
 King about the
 accused
 Members.

His Majesty's
 Answer.

“ respect of Privileges to proceed against them by B O O K
 “ Impeachment in Parliament, or whether he were IV.
 “ at liberty to prefer an Indictment at Common Law
 “ in the usual way, or whether he had his choice of
 “ either; before that was resolved his Majesty thought
 “ it unusual and unfit to discover what Proof he had
 “ against them; but then he would give such speedy
 “ direction for Prosecution, as might put a determi-
 “ nation to the business.”

This gave them New offence and trouble; and if the
 King's Council had had the courage to have insisted
 upon the matter of Law, and the Lords would have
 given them reasonable countenance, they would
 have been much puzzled to have procured a Resolu-
 tion, that would have served their purposes to all
 parts, and been content to have suspended Their
 judgment, that so the King might have suspended his
 prosecution. For if the Judges had been called to
 deliver their opinions in-point of Law, which they
 ought to have been, they could not have avoided the
 declaring, that by the known Law, which had been
 confessed in all times and ages, no Privileges of Parlia-
 ment could extend in the case of Treason; but that
 every Parliament-man was Then in the condition of
 every other Subject, and to be proceeded against ac-
 cordingly. In the next place, as they would never have
 ventured themselves upon the House of Peers under
 an Impeachment, and thereby made Them their
 judges, which indeed was incongruous, every
 Subject being to be tried for his Life *per Pares*; *vel*
per Legem terre, to both which the Lords, and the
 Impeachment, were directly opposite; so they would

BOOK IV. less have trusted an Indictment at Law; and a well chosen sober Jury, who had been bound to follow their evidence of Fact, and were not Judges of the Law; which was severe in any Conspiracy against the Crown, or the Persons of King or Queen.

But having shut the doors against any mention of Law, they made no scruple of resolving, and answering his Majesty, "that they were first to see the evidence he had to prove the guilt, before they could give any direction for the manner of the Prosecution, and proceeding;" which they grounded upon a Maxim, they had but lately established, though never till then heard of; "that no Member of Parliament, for what Offence soever could be Arrested or proceeded against but by the consent of that House of which he was a Member; and then; they said, they could not give, or deny their consent by any other measure than the Knowledge of the Crime and Proof, upon which such Member stood accused." Which Conclusion had been reasonable had the Premises been just; whereas the argument was to be inverted, that Their consent was not to be asked, because they had no Cognizance of the Crime of which their Members were accused, nor were Judges whether their accusation, were valid in Law, or sufficiently proved in Fact.

Observation
touching Pri-
vilege of Par-
liament.

It is not to be believed how many sober, well-minded men, who were real Lovers of the Peace of the Kingdom, and had a full submission, and reverence to the Known Laws, were imposed upon,

and had their Understandings confounded, and so their Wills perverted; by the mere mention of Privilege of Parliament; which, instead of the plain, and intelligible notion of it, was by the dexterity of those Boutefeus, and their under-Agents of the Law, and the Supine Sottishness of the People, rendered such a mystery, as could be only explained by Themselves; and extended as far as they found necessary for their occasions, and was to be acknowledged a good reason for any thing that no Other reason could be given for. "We are, say they, "and have been always confessed, the only Judges "of our own Privileges; and therefore whatsoever "we declare to be our Privilege, is such: otherwise "whosoever determines that it is Not so, makes "himself Judge of that, whereof the Cognizance "only belongs to Us." And this Sophistical Riddle perplexed many, who, notwithstanding the desperate Consequence they saw must result from such Logic, taking the first Proposition for true, which, being rightly understood, is so, have not been able to wind themselves out of the Labyrinth of the Conclusion: I say the Proposition Rightly understood: They are the only Judges of their own Privileges, that is, upon the Breach of those Privileges, which the Law hath declared to be their own, and what punishment is to be inflicted upon such Breach. But there can be no Privilege, of which the Law doth not take notice, and which is not pleadable by, and at Law.

The truth and clearness of this will best appear by Instance: If I am Arrested by Process out of

B O O K any Court, I am to plead in the Court, that I am
iv. a Member of Parliament, and that, by the Privilege of Parliament, my Person ought to be free from Arrests. Upon this Plea the Judge is bound to discharge me; and if he does not, he is a Criminal, as for any other trespass against the Law: but the punishing the Person, who hath made this infringement, is not within His power, but proper to that Jurisdiction, against which the contempt is; therefore that House, of which I am a Member, upon complaint made of such an Arrest, usually sends for the persons culpable, the party at whose Suit the Arrest is made, and the Officers which executed it, and commits them to Prison, till they make acknowledgment of their Offence. But that House never sends, at least never did till this Parliament, any Order to the Court out of which the Process issued, to stay the proceedings at Law, because the Privilege ought to be legally pleaded. So, after the Dissolution of Parliament, If I am Arrested within the days of Privilege, upon any plea of Privilege the Court discharges me; but then the Party that Arrests me, escapes punishment till the next Parliament, the Judge having no more power to commit the man that sued or arrested me, than he hath to imprison a man for bringing an Action at Law, when he hath no good title; neither is He Judge of the contempt.

Again, if a man brings an Information, or an Action of the Case, for words spoken by me, and I plead that the words were spoken by me in Parliament, when I was a Member there, and that it

is against the Privilege of Parliament, that I should be impleaded in any other place, for the words I spoke There; I ought to be discharged from this Action or Information, because this Privilege is known, and pleadable at Law; but That Judge can neither punish, nor examine the breach of Privilege, nor Censure the contempt. And this is the true and proper meaning of the old received Axiom, that they are Judges Only of their own Privileges. B O O K
IV.

And indeed these two, of freedom from Arrests for their Persons (which originally hath not been of that latitude to make a Parliament a Sanctuary for Bankrupts, where any person out-lawed hath been declared incapable of being returned thither a Member) and of liberty of Speech, were accounted their chiefest Privileges of Parliament: For their other, of Access to the King, and correspondence by Conference with the Lords, are rather of the Essence of their Councils, than Privileges belonging to them. But that their being Judges of their Privileges should qualify them to make New Privileges, or that their Judgment should Create them such, as it was a doctrine never before Now heard of, so it could not but produce all those Monstrous effects we have seen; when they have assumed to swallow all the Rights and Prerogatives of the Crown, the Liberties and Lands of the Church, the Power and Jurisdiction of the Peers, in a word, the Religion, Laws, and Liberties of *England*, in the bottomless and insatiable Gulph of their own Privileges. And no doubt these invasions, on pretence of Privilege, will hereafter be judged to have been the most

BOOK unparalleled, and capital Breach of those Privileges, that had ever yet been attempted.

IV.

The Lords and Commons differ about addressing for removing Sir John Byron from the Tower.

In the Address, which the House of Commons prepared for acknowledgment of the King's Grace and favor in his Message of the twentieth of *January*, they had desired, "that for a ground of their Confidence, and removal of Jealousies, that they might apply themselves to give his Majesty satisfaction in the Method he proposed, his Majesty would presently put the Tower of *London* into the hands of such a person, as Both Houses should recommend to him," in which the Lords Differed with them; as well for that the disposal of the custody thereof was the King's peculiar Right and Prerogative, as likewise that his Majesty had committed the charge thereof to Sir *John Byron*, a person of a very Ancient family, an honorable extraction, and good Fortune, and as unblemished a Reputation, as any Gentleman of *England*. The Commons, much troubled that the Lords should Again take the courage to dissent from them in any thing, resolved to press the King upon their Own score, and to get the recommendation of so great an Officer to Themselves.

The Commons by themselves Petition the King to do it, and to put all the other Forts, and the Militia into the hands of

And therefore on the six-and-twentieth day of *January*, they sent a Petition to him in the name of the Knights, Citizens, and Burgeesses; of the Commons House assembled in Parliament; in which they took notice "of the gracious Message from his Majesty of the twentieth instant, for which they returned most humble thanks, resolving to take it into speedy and serious consideration; and said,

" said, to enable them with security to discharge B O O K
 " their duties therein, they had desired the House IV.
 " of Peers to join with them, in humbly beseeching Confiding
 " his Majesty to raise up unto them a sure ground men.
 " of Safety and Confidence, by putting the Tower,
 " and other principal Forts of the Kingdom, and
 " the whole Militia thereof, into the hands of
 " Such persons as his Parliament might Confide in,
 " and as should be recommended unto him by Both
 " Houses of Parliament; that, all Fears and Jealousies
 " being laid aside, they might with cheerfulness
 " proceed to such Resolutions, as they hoped would
 " lay a sure foundation of Honor, Greatness, and
 " Glory to his Majesty, and his Royal Posterity,
 " and of happiness and prosperity unto his Subjects
 " throughout all his Dominions; wherein the House
 " of Peers had refused to join with them. But they,
 " notwithstanding, no way discouraged, but con-
 " fiding in his Majesty's goodness to his people, did
 " therefore make their humble Address to him to
 " beseech him, that the Tower of *London*, and other
 " principal Forts, and the whole Militia of the
 " Kingdom, might be put into the hands of such
 " persons as should be recommended to him by the
 " House of Commons; not doubting but they should
 " receive a Gracious, and speedy Answer to that
 " their humble Desire, without which, in all Hu-
 " man reason, the great Distractions of the Kingdom
 " must needs overwhelm it with misery and Ruin."

The King was not troubled at the receipt of this
 Petition, glad, that since they could not be brought
 to such a degree of Reasonableness, as might make

BOOK IV. up all breaches, they would be so preptorily Unreasonable as might probably sever those from them who were not so Desperate as themselves; and he hoped, that when the People should observe that this grasping of the Militia of the Kingdom into their own hands, as an Expedient for the composing their high-grown Fears and Jealousies, was no more than they desired the Summer before, when Sir *Arthur Husterig* brought in his Bill into the House of Commons, which is before remembered, when that title of Fears and Jealousies was not discovered; and when the Peers should observe, that the House of Commons insolently Demanded, by their own Single Suffrage, the deputing men to Places of that vast Importance, they would both conclude, that those Immodest Askers were not only fit to be Denied, but Reformed: yet believing that Real and Just Fears might grow up, to discountenance and suppress those Imaginary ones, his Majesty vouchsafed a very soft and gentle Answer to that Petition; and told them, “ that he hoped his gracious Message

His Majesty's Answer. “ would have produced some such Overture, as
 “ by offering what was fit on Their parts to do,
 “ and by asking what was proper for Him to grant,
 “ might have begot a mutual Confidence in each
 “ other. Concerning the Tower of *London*, that He
 “ did not expect, having preferred a person of a
 “ known Fortune, and unquestionable Reputation,
 “ to that Trust, that he should have been pressed
 “ to remove him without any particular Charge
 “ objected against him; however, that if, upon due
 “ examination, any particular should be presented

“ to him, whereby it might appear he was mistaken,
 “ in his good opinion of that Gentleman, and that
 “ he was unfit for the Trust committed to him, he
 “ would make no scruple of discharging him; other-
 “ wise, he was obliged in justice to himself, to
 “ preserve his Own work, lest his Favor and good
 “ Opinion might prove a Disadvantage and Mis-
 “ fortune to his Servants, without any other Accu-
 “ sation; of which he hoped his House of Commons
 “ would be so tender, as of a business, wherein
 “ his Honor was much concerned, as if they found
 “ no material Exceptions against that person, they
 “ would rather endeavour to satisfy and Reform
 “ the Fears of other men, than, by complying with
 “ them, press^d his Majesty to any thing which did
 “ so much reflect upon his Honor, and Justice.”

“ For the Forts and Castles of the Kingdom, that
 “ he was resolved they should always be in such
 “ hands, and Only in such, as the Parliament might
 “ safely Confide in; but the Nomination of any
 “ persons to those Places, being so principal and
 “ inseparable a flower of his Crown, vested in him,
 “ and derived to him from his Ancestors by the
 “ fundamental Laws of the Kingdom, he would
 “ reserve to Himself; in bestowing whereof, as he
 “ would take care that no corrupt or Sinister courses
 “ should prevail with him so he was willing to
 “ declare, that he should not be induced to express
 “ that Favor so soon to any persons, as to Those,
 “ whose good Demeanour should be Eminent in, or to
 “ his Parliament. And if he then had, or should at
 “ any time, by misinformation confer such a Trust

B O O K “ upon an Undeserving Person, he was, and would
IV. “ always be, ready to leave him to the Wisdom
“ and Justice of the Parliament.

“ For the Militia of the Kingdom, which by the
“ Law was subject to no Command but of his Ma-
“ jesty, and of Authority lawfully derived from
“ him, he said, when any particular course for
“ ordering the same should be considered, and digested,
“ and proposed to him, he would return such
“ an Answer as should be agreeable to his Honor,
“ and the Safety of his People, he being resolved
“ only to deny those things, the Granting whereof
“ would alter the fundamental Laws, and endanger
“ the very foundation, upon which the Public
“ happiness and welfare of his People was founded
“ and constituted, and which would nourish a greater,
“ and more destructive Jealousy between the
“ Crown, and the Subject, than any of those,
“ which would seem to be taken away by such a
“ satisfaction.

“ He said, he was not willing to doubt, that his
“ having granted more than ever King had granted,
“ would persuade Them to ask more than ever Subjects
“ had asked: but if they should acquaint him
“ with the particular grounds of their Doubts and
“ their Fears, he would very willingly apply Remedies
“ proportionable to those Fears; for he called God to witness,
“ that the preservation of the Public Peace, the Law, and the
“ Liberty of the Subject, was, and should always be, as much
“ his Care, as his own Life, or the Lives of his
“ dearest Children.

“ And therefore he did conjure them by all the
 “ acts of Favor they had received from him this
 “ Parliament, by their hopes of future happiness in
 “ his Majesty, and in one another, by their love
 “ of Religion, and the Peace of the Kingdom, in
 “ which, he said, that of *Ireland* was included,
 “ that they would not be transported by Jealousies,
 “ and apprehensions of Possible dangers, to put
 “ themselves or his Majesty, into Real and Present
 “ inconveniences; but that they would speedily
 “ pursue the way proposed by his former Message,
 “ which, in Human Reason, was the only way to
 “ compose the Distractions of the Kingdom, and,
 “ with God’s blessing, would restore a great measure
 “ of felicity to King and People.”

This Answer being not only a denial, but such an Expostulation as would render their Counsels of less reverence to the People, if upon those reasons they should recede from what they had with that Confidence, and disdain of the House of Peers demanded of the King; they therefore resolved to set up their rest upon that stake, and to go through with it, or perish in the attempt. And, to this purpose, they again muster up their Friends in the City, and send their Emisseries abroad to teach the People a new Language. All Petitions must now desire, “ that the Kingdom might be put into a
 “ posture of Defence, and nothing else would serve
 “ to defend them from the many Plots and Conspiracies against them, or secure them from their
 “ own Fears and Jealousies.” More Petitions were presented to the House of Commons by some Citizens

B O O K of *London*, in the name of those Merchants, that usually Traded to the Mint with Bullion, who pretended "that their Fears and Jealousies were so great, " that they durst not carry their Bullion to the Tower, " being not satisfied with the present Lieutenant " there; and therefore desired that he might be re- " moved; and more to the like purpose."

The Commons
desire to bor-
row money
of the City.

The Common-
Council's
Answer.

They had wholly undertaken the managing of the War in *Ireland*, and really, for many reasons, neither did use, nor desired to use, any great Expedition in that work; yet having with great industry infused into the minds of the People at least a Suspicion that the Court favored that Rebellion, they always made use of the slowness in those proceedings to the King's disadvantage. About that time, they had desired the City to furnish them with one hundred thousand pounds, for the Levying, and accommodating Forces to be sent into that Kingdom, which gave the Common-Council, where such Loans were always transacted, opportunity to return their opinions, and advice upon the general State of Affairs. They said, " they could lend no more Money by " reason of those obstructions, which threatened " the Peace of this Kingdom, and had already ren- " dered it even desperate: that the not passing the " Bill against Pressing of Soldiers, which still de- " pended with the Lords, upon those reasons for- " merly mentioned at large, put many Men into " fears, that there was some design rather to lose " That Kingdom, and to consume This in the loss " of it, than to preserve either the one, or the " other; and that the Rebels were grown so strong

“ there, that they made account speedily to extirpate
 “ the British Nation in that Kingdom; and that they
 “ intended Then, as they already bragged, to come
 “ over, and make This the Seat of the War.

“ That the not putting the Forts into such hands,
 “ in whom the Parliament might Confide, the not
 “ settling the Kingdom in a posture of Defence,
 “ the not removing the present Lieutenant of the
 “ Tower, and putting such a Person into that place,
 “ as might be well approved by the Parliament,
 “ could not but overthrow Trading more and more,
 “ and make Moneys yet more scarce in the City and
 “ Kingdom. That the misunderstanding between
 “ the King and Parliament, the not vindicating the
 “ Privileges thereof, the charging some Members
 “ of Treason to the deterring of others from dis-
 “ charging their Duties, and to the destroying the
 “ very Being of Parliaments, did exceedingly fill
 “ the minds of Men well affected to the Public, with
 “ many fears and discouragements; and so disable
 “ them from yielding that cheerful assistance, which
 “ they would be glad to afford. That by this
 “ means, there was such a decay of Trading, and
 “ such scarcity of Money, neither of which could
 “ be cured, till the former evils were removed, as
 “ it was like, in very short time, to cast innumer-
 “ able multitudes of poor Artificers into such a depth
 “ of Poverty and Extremity, as might enforce them
 “ upon some dangerous and desperate Attempts,
 “ not fit to be Expressed, much less to be Justified;
 “ which they left to the House speedily to consider,
 “ and prevent. These evils, under which they did

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“ exceedingly labor and languish, they said, did
 “ spring from the employing of ill affected persons
 “ in places of Trust and Honor in the State, and
 “ near to the person of the King; and that they were
 “ still continued by means of the Votes of Bishops,
 “ and Popish Lords, in the House of Peers. And
 “ so having faithfully represented, they said, the
 “ true reasons, which really enforced them to return
 “ that Answer, they craved leave to protest before
 “ God and the High-Court of Parliament, that if
 “ any further miseries beset their dear Brethren in
 “ *Ireland*, or if any mischief should break in upon
 “ this Kingdom, to the endangering or disturbing
 “ the peace thereof, it ought not to be imputed to
 “ Them, but only to such, who should endeavour
 “ to hinder the effectual and speedy cure of those
 “ evils before recited, which did so much disable
 “ and discourage them from doing that which the
 “ House had desired of them.”

Petitions
 likewise
 from several
 Counties con-
 cerning the
 Militia.

At the same time, were presented other Petitions,
 subscribed by many thousand hands, and in the
 names of the Knights, Gentlemen, and Freeholders,
 and other Inhabitants, of the Counties of *Middlesex*,
Essex, and *Hertford*; all which severally inveighed
 against the Malignant Party, which rendered the
 good endeavours of the House of Commons fruitless;
 “ desired that the Votes of the Bishops, and Popish
 “ Lords, might be taken out of the House of Peers;
 “ that they might be put into a posture of defence,
 “ and the Forts, and Castles of the Kingdom, into
 “ such hands as the Parliament might Confide in:
 “ that so *Ireland* might be relieved, and This King-

dom made happy. One of them adding, that the
 “ Malignant Party of Prelates and Papists, and their
 “ adherents, were inconsistent with the happy suc-
 “ cesses of the Parliament.” These Petitions, and the
 Answer of the Common-Council of *London*, were
 thought ample materials for a Conference with the
 Lords, who might be thereby remembered of their
 Duty; and to that purpose Mr. Pym delivered them
 at a Conference, and after they were read, told
 them, that their Lordships might “ in those Petitions
 “ hear the voice; or rather the Cry of all *England*;
 “ and that they were not to wonder if the urgency,
 “ the Extremity of the condition we were all in, did
 “ produce some earnestness and vehemency of ex-
 “ pression more than ordinary; the agony, terror,
 “ and perplexity, in which the Kingdom labored,
 “ was universal, all parts were affected with it; and
 “ therefore in those Petitions they might observe
 “ the Groans and miserable complaints of all.” After
 a long discourse of the great and notorious dangers
 the Kingdom was in, by Invasions threatened from
 abroad, and Insurrections from within, he told
 them, “ the Obstructions, that had brought them
 “ into that Distemper, were principally the obstruc-
 “ tion of Reformation in matters of Religion; and
 “ that there was never Church or State afflicted with
 “ more grievances of That kind, than we had
 “ been; and that though they were partly eased and
 “ diminished by the wisdom of the Parliament, yet
 “ many still remained; and as long as the Bishops,
 “ and the corrupt part of the Clergy, continued in
 “ their power, there would be little hope of free-

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Mr. Pym
 delivers the
 Petitions to
 the Lords at
 a Conference.

B O O K

IV.

“ dom, either from the sense of those that continued,
 “ or the fear of those which were removed. And
 “ of That obstruction, he said, he must clear the
 “ Commons, who were in no part guilty of it.
 “ Some good Bills they had already passed, and
 “ others were in preparation, and might have been
 “ passed before that time, if they had not found
 “ such ill success in the other House: whatsoever
 “ mischief that obstruction should produce, They
 “ were free from it; they might have their part of
 “ the Misery, they could have none in the Guilt
 “ or Dishonor.

“ He told them there was great obstruction in
 “ Trade, which brought food and nourishment to
 “ the Kingdom; and then having enlarged himself
 “ with enumeration of the notable benefits the King-
 “ dom received by the fulness of Trade, he said,
 “ he must protest, the House of Commons had given
 “ no cause to That obstruction: They had eased
 “ Trade of many burdens, and heavy taxes, and
 “ had freed it from many hard restraints by Patents
 “ and Monopolies; they had sought to put the Mer-
 “ chants into security and confidence in respect of
 “ the Tower of *London*, that so they might be in-
 “ vited to bring in their Bullion to the Mint, as
 “ heretofore they had done; they were no way guilty
 “ of the troubles, the Fears, and Public dangers,
 “ which made men withdraw their stocks, and keep
 “ their money by them, to be ready for such sudden
 “ exigents, as, in those great distractions, they had
 “ too great cause to expect.

“ There was an obstruction, he said, in the relief

“ of *Ireland*, but he must declare the Commons were
 “ altogether innocent of any neglect therein; they
 “ had agreed to the Levies of men and money, and,
 “ from time to time, done all the furtherance there-
 “ of, though in the midst of many distractions
 “ and diversions; but the want of Commissions for
 “ levying men, that was the Bill about Pressing, and
 “ divers other impediments, had been the causes of
 “ That obstruction. Nay, he said, he did not only
 “ find impediments to themselves, but encourage-
 “ ment to the Rebels; for many of the chief Com-
 “ manders now in the head of the Rebels, after
 “ both Houses had stopped the Ports against all
 “ Irish Papists, had been suffered to Pass, by his
 “ Majesty’s immediate Warrants, much to the dis-
 “ couragement of the Lords Justices and Council
 “ there, which were procured by some evil instru-
 “ ments too near his Royal person, and, they be-
 “ lieved, without his Knowledge and intention.
 “ He said, there was an obstruction in providing
 “ for the defence of the Kingdom, that they might
 “ be enabled to resist a foreign Enemy, and to
 “ suppress all civil Insurrections: what endeavour
 “ they had used to remove them, but hitherto
 “ without that success and Concurrence which they
 “ expected, and where their Stop had been, and
 “ upon what grounds they might proclaim their
 “ own Innocency and faithfulness in That particular,
 “ they desired no other witnesses but their Lordships.
 “ He told them, the evil Influences, which had
 “ caused that Distemper, were the evil Councils
 “ about the King, the great power, that a Faction

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“ and Interested Party had in Parliament by the
 “ continuance of the Votes of the Bishops, and
 “ Popish Lords, in their Lordship's House, and the
 “ taking in of others out of the House of Commons,
 “ and otherwise to increase their strength, the fo-
 “ menting a Malignant Party throughout the King-
 “ dom, the Jealousies between the King and his
 “ Parliament.” And after many bitter and Seditious
 expressions of the Court, and of all those who were
 not of His mind, he concluded, “ that he had no-
 “ thing to propose to their Lordships by way of
 “ request or desire from the House of Commons;
 “ he doubted not, but their Judgments would tell
 “ them what was to be done; their Consciences,
 “ their Honors, their Interests, would call upon
 “ them for the doing of it The Commons would
 “ be glad to have their help and Concurrence in
 “ saving the Kingdom; but if their Lordships should
 “ fail, it should not discourage Them in doing
 “ Their duty; and whether the Kingdom be lost, or
 “ saved, they should be sorry, that the story of
 “ this present Parliament should tell posterity, that,
 “ in so great danger and extremity, the House of
 “ Commons should be inforced to save the King-
 “ dom Alone, and that the House of Peers should
 “ have no part in the Honor of the preservation of
 “ it, they having so great an interest in the good
 “ success of those endeavours, in respect of their
 “ great Estates and high degrees of Nobility.”

As soon as this Conference was ended, the Speaker
 of the House of Commons was appointed to give Mr.
Pym solemn thanks for his so well performing that

service, and to require him to deliver his Speech in writing to the House, that it might be printed; which was done accordingly, to the end that the people might understand, besides those reproaches upon the King, how negligent the House of Peers were of their welfare and security.

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His Speech
printed by
Order.

The same day and hour after that Conference, a great number of people, in the name of the Inhabitants of the County of *Hertford*, presented a Petition to the House of Peers; in which, amongst other particulars, “ they complained of the delay of putting
“ the Kingdom into a posture of War for their
“ better defence, and the want of compliance by
“ that Honorable House with the House of Commons, in entertaining those many good Motions,
“ and Passing those necessary Bills presented to
“ them from that House for the Common Good.
“ And therefore they desired them, for the better
“ removing of all the causes and springs of their
“ Fears and troubles, that the evil Counsellors, and
“ others hindering the Public Good, might be
“ taken from his Majesty, and the voting of the
“ Bishops and Popish Lords, to be removed out of
“ that Honorable House: And that the Petitioners,
“ who would be ever ready to hazard their Lives
“ and Estates for the defence of the King and Parliament, the Privileges of the same, and in special
“ those noble Lords and Gentlemen in both Houses,
“ whose endeavours were for the Public Good,
“ might have liberty to Protest against all those, as
“ Enemies to the Kingdom, who refused to join
“ with those Honorable Lords and the House of

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“ Commons, for the putting the Kingdom into a way of Safety, under the Command of such persons, as the Parliament should appoint.” But neither this, nor any of the other Proceedings were refented by the House of Peers, though their Privileges were not only invaded, but the very Freedom and liberty of Parliament absolutely taken away and destroyed thereby.

When the House of Commons found that none of these extraordinary ways would thoroughly Subdue the House of Lords, but that, though they had very sturdy Champions there, the Major part, albeit the Bishops, and all the Reculant Lords were driven from thence, still opposed them, whereby neither the Bill for the taking away the Bishops Votes, nor about Pressing, could pass, and that they peremptorily still refused to join in the business of the Militia; they found a New way, as Unpractised and as unnatural as any of the former, whereby they would be sure to have an influence upon the House of Peers. It is an old Custom, and Privilege of that House, that upon any solemn debate, whosoever is not satisfied with the conclusion and judgment of the House, may demand leave to enter his Protestation, which must be granted. The Original of this was in Jealous times, when men desired, for avoiding the ill consequence of any Act there, that their Dissents might appear; and was very seldom practised, but when they conceived Religion, or the Crown, trenched upon; insomuch as you shall not find, in the Journals of many Parliaments, one Protestation entered; and when there was any, there

was no more in the Records, than, after the Resolution of the House is entered, "that such a Lord desired that his Protestation or dissent might be entered," and oftentimes when several have dissented from the general opinion, not above one or two have entered their Protestation. But since this Parliament, as they altered this Custom from cases of high Concernment to the most trivial Debates, the Minor part ordinarily entering their Protestation, to the end that their opinions might be taken notice of, and who were opposite to them, whereby the Good and Bad Lords were known and published; so they altered the form, and instead of short general entries, caused the matter of Debate to be summed up. and thereupon their Protestation, "that They were not to be answerable for any inconveniences or Mischiefs, that should befall the Commonwealth by reason of this or that Resolution." So that from an Act for the particular Indemnity of the person, that made it, it grew sometimes to be a reproaching and arraigning the sense of the House by any Factious number that disagreed. Then because the House of Peers is a Court of Record, they concluded, "that any man upon any occasion might peruse the Journals;" and so every night the House of Commons could see how the Debates had been managed and carried all the Day, and take public notice, and make use of it accordingly, which they could not do of those discourses they received from their Confidants; for supplying whereof this Unjustifiable method was found out. For though it is a Court of Record, the highest Court, and the Acts

B O O K and judgments of Parliament are Records, to which
IV. the Subject may upon all occasions resort, yet they ought not to make use of that Liberty in order to question any words spoken, or Acts done, and remembered There; of which if the Lords are not the only Judges, their Privileges are much less than the Commons in truth have, and may Justly claim.

It happened, about this time, that upon some Overture in the Lords House, which pleased them not, the Violent Party there, in a disorderly manner, cried out, *Adjourn, Adjourn*, being not willing the matter should Then come into debate; others were not willing that the House should Adjourn. The Duke of *Richmond* troubled at that Tumultuary and indirect proceeding, said, without directing himself to the Speaker, "if they would Adjourn, he wished " it might be for six Months, or words to that " effect;" upon which some of the other Party immediately Moved, "that the House might Not rise, " and that the Duke would explain himself, and " answer the making such a Motion, as, being " granted, would be destructive to the Common- " wealth." The Duke said, "he made no Motion, " but used that Expression, to show his dislike of " the other Motion to Adjourn at that time, when " there was business in agitation of great Concern- " ment; and that, when he spoke, all men being " upon their feet, and out of their places, he conceived the House had been Up." Upon this he was required to withdraw; and then they, who had long looked upon him with great envy and animosity, as the only great Person, and Officer at Court,

Court, who had discountenanced their power, and their stratagems, and had with notable Courage always opposed their extravagancies, and Servile complying with the House of Commons, and submitting to the Tumults, and had with singular Constancy preserved his Duty and Fidelity to his Majesty unviolated, inveighed against that Motion, "as of
 " too Serious a nature to be made a Jest of, and fit
 " to be censured as most pernicious to This Kingdom, and destructive to *Ireland*; the War whereof
 " could not proceed, if the Parliament should have
 " been Adjourned for six Months, as his Lordship had proposed.

On the other side, it was alledged, " that the Motion had never been made to the House; and therefore they ought no more to question, or take
 " notice of it, than of every light or frolic discourse
 " or Expression, that negligently, or casually fell
 " from any Man; which would take away all
 " liberty of Conversation. However, that if it had
 " been Seriously, and formally made, it could be
 " no Crime, it being the necessary liberty and Privilege of every Member, to make any Motion
 " he thought in His judgment fit, which the House
 " would approve, or reject, as it found reasonable.
 " And that, since it was as much in the House's power
 " to Adjourn for six Months, as for six Days, it was
 " as lawful to move the one, as the other; of which
 " there could not be the least inconvenience, because
 " the House would be sure to reject it, if it were not
 " found proper." After a very fierce, and eager debate; in which much Bitterness and Virulency was

BOOK expressed, it was Resolved by the Major part, "that
 IV. "the Duke had committed no Offence;" and so he was
 as regularly absolved as was possible. Hereupon the
 Earls of *Northumberland*, *Pembroke*, *Essex*, and *Hol-*
land, who thought the Duke's affection and Duty to
 his Master a Reproach, and his interest prejudicial to
 Them, with the rest of that Party entered their Protef-
 tation; "that whereas such a Motion had been made
 " by the Duke of *Richmond*, and upon being question-
 " ed for the same, he had been acquitted by the Major
 " part, They were free from the mischiefs and incon-
 " veniences, which might attend the not punishing
 " of an Offence tending so much to the Prejudice of
 " King or Kingdom."

This Protestation, by the advice of that Night's
 meeting, was the next day, taken notice of in the
 House of Commons, and the matter itself of the
 Motion enlarged upon, by all possible and Rhetorical
 aggravations, concerning the Person, and his In-
 terest, according to the licence of that House, and
 that People. It was said, "here was an evil Coun-
 " feller, that had discovered himself, and no doubt
 " had been the Author of many of those evil Coun-
 " sels, which had brought that trouble upon us;
 " that he had received his Education in *Spain*, and
 " had been made a Grandee of that Kingdom, and
 " had been ever since notoriously of that Faction;
 " that his Sisters were Papists, and therefore his
 " affection was to be questioned in Religion; that,
 " from the beginning of this Parliament, he had been
 " opposite to all their proceedings, and was an
 " Enemy to Reformation; that he had vehemently

“ opposed the Attainder of the Earl of *Strafford*; was
 “ a friend to Bishops; and now, to prevent any
 “ possibility of Reformation, which could not be
 “ effected without the Concurrence of the two
 “ Houses, had desperately Moved in the House of
 “ Peers, where he had a great Faction, that it would
 “ Adjourn for six Months; in which time the Ma-
 “ lignant Party, of which he might well be thought
 “ the Head, and had the greatest influence upon the
 “ King’s affections, would prevail so far, that all
 “ future hopes would be rendered desperate, and
 “ the Kingdom of *Ireland* be utterly lost, and pos-
 “ sessed by the Papists: that they were therefore to
 “ to take this opportunity, which God had given
 “ them, to remove so Malignant and dangerous a
 “ Person from the King, and one so suspected, from
 “ so important a Charge as the Cinque Ports, of
 “ which the Duke was Lord Warden, and to send
 “ to the Lords to join with them in a desire to the
 “ King to that purpose.”

On the other side, it was objected, that “ whilst
 “ they were so Solicitous for their own Privileges,
 “ and sensible of the breach and violation of them,
 “ they could not more Justify those, who had been
 “ the Advisers of such breaches, than by offering
 “ the like trespass to the Privileges of the Peers: that
 “ the life of that Council depended on the liberty of
 “ Speech, and where there were so different minds,
 “ there must be different Expressions, and if one
 “ House might take notice what the other House
 “ said, or did, within Those walls, the Lords would
 “ as well question Their Members, as they did now

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“ one of the Lords; which would take away, all
 “ freedom of Debate: that they could not Examine
 “ the Circumstances, which attended that Motion,
 “ if any such was made; and therefore could not so
 “ much as, in their private understandings, make
 “ a reasonable judgment of it, but that they were
 “ naturally to presume the Circumstances were such,
 “ as took away the Offence of the Motion; for that
 “ the Major part of that House, where the words
 “ were spoken, and at the time when they were
 “ spoken, had, upon Solemn Debate, concluded,
 “ that there was no Crime in them; and that they
 “ were not only the Proper, but the Only Judges
 “ in that Case: and if the Commons should inter-
 “ meddle therewith, it was no otherwise, than;
 “ by the strength of the Major part of the House of
 “ Commons, to make the Minor part of Lords
 “ Superior to the Major part of that House; which
 “ they would not suffer to be offered to Themselves.”

It was alledged, “ That the Duke was a Person
 “ of great Honor and Integrity, and of so unblemish-
 “ ed a Fame, that in all the discovery of the Court-
 “ offences, there was not any reflection upon Him.
 “ That his Education had been, according to the
 “ best rules of the Greatest Persons, for some years
 “ beyond the Seas; and that, having spent more time
 “ in *France* and *Italy*, he visited *Spain*; where his
 “ great Quality being known, and no question as
 “ a Compliment to this Kingdom, with which it was
 “ then in strait Alliance and Confederacy, that King
 “ had conferred the honor of Grandee upon him;
 “ which was of no other advantage or signification

“ to him , than to be Covered in the presence of that
 “ King , as the principal Subjects there are. That
 “ his affection to the Protestant Religion was unques-
 “ tionable and very Eminent; and though his Sisters,
 “ who had been bred under their Mother , were
 “ Roman Catholics , yet his Brothers , of whose
 “ Education He had taken the sole Care , were very
 “ good Protestants.

“ That his opinions in Parliament had been very
 “ Avowed, and were to be presumed to be according
 “ to his Conscience, in the profession of which he
 “ was so public , that there was reason to believe he
 “ used no ill arts in private; since he had the Courage
 “ to do that Aloud , which he had reason to believe
 “ would displease many. That it would be a great
 “ prejudice, and blemish to their Councils and Dis-
 “ coveries, if after so long discourse of a Malignant
 “ Party, and evil Counsellors, of which they had
 “ never yet named any , they should first brand This
 “ Lord with that imputation upon such a ground and
 “ occasion, as must include all those Lords who had
 “ absolved him, which was the Major part of the
 “ Lords. In a word, that it would look as if they
 “ had devised those New words to make men afraid,
 “ and keep them in reserve to apply to all those with
 “ whom they were Angry.”

But notwithstanding all this, and all the reason
 that could be spoken on that part, and that there
 could be none on the other, after a debate of very
 many hours, till after nine of the Clock at Night
 (the latest that ever was in the Parliament, but that
 of the Remonstrance) in which it was evident, that

BOOK they meant, as far as in them lay, to Confound all
 IV. those, whom they could not Convert; it was Resolved by the Majority of Voices, not Half of the House being present at that unseasonable time of the debate, "that they should accuse the Duke of *Richmond* to the Lords to be one of the Malignant Party, and an evil Counsellor to his Majesty: and "to desire them to join in a request to the King, that "he might be removed from any Office or employment about his Person;" which was solemnly recommended to the Lords accordingly, and by them so far received, that though the desire was rejected, no dislike or disapprobation of the Matter or the Manner was in the least discovered, or insisted on.

All things thus prepared, and so many Lords driven and kept from the House, besides the Bishops, and they that stayed there, by this last instance, instructed how to carry themselves, at least how they provoked the Good Lords to Protest, the Resolved once more to try whether the House of Peers would be induced to join in the business of the Militia, which they had twice refused; and to that purpose, their old Friends of the City in the same numbers flocked to *Westminster*, but under the New, received, and allowed style of Petitioners; but as unlike Petitioners to any of those Lords or Commons, whom they understood to be Malignant, as the other Tumults had been. From these herds there were two notable Petitions delivered to the House of Commons, the one from the Porters, their number, as they said, consisting of fifteen thousand; the other under the title of many thousands of poor People in

and about the City of *London*. The Porters, with great Eloquence, confessed " the unexpressible pains, " that Honorable House had taken for the Good of " Church and State ; which deserved to be Record- " ed to their Eternal Fame , though the Effects of " those unwearied endeavours were not produced , " by reason of the prevalence of that adverse, Malig- " nant, Blood-sucking , Rebellious Party, by the " power of which the Privileges of Parliament, and " the Liberty of the Subject was trampled upon , " the Rebellion in *Ireland* increased, and all suc- " cours and relief for that Kingdom obstructed." They said, " That Trade had been long languishing, " but was Now dead by the Fears, Jealousies, and " Distractions they lay under, for want of For- " tification of the Cinque Ports , which was a great " encouragement to the Papists to make Insurrections " and did much animate a Foreign power to Invade " us: that by the deadness of Trade they did want " employment in such a measure , as did make their " lives very uncomfortable; therefore their Request " was, that that extreme necessity of theirs might be " taken into serious Consideration, and that the " Honorable House of Commons would fall upon " the speediest course for abating and quelling the " Pride, Outrage, and Insolency of the adverse " Party at Home; that the Land might be secured " by Fortifying the Cinque Ports , and putting the " people into a posture of Defence, that all their " Fears, or as many as could, might be removed, " and that Trade might be again set up and opened, " that their wants might be in some measure supplied,

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- B O O K “ They further desired that Justice might be done
 IV. “ upon Offenders, according as the Atrocity of their
 “ Crimes had deserved; for if those things were any
 “ longer suspended, they should be forced to extre-
 “ mities not fit to be named, and to make good that
 “ saying, that Necessity hath no Law. They said,
 “ they had nothing to lose but their lives, and those
 “ they would willingly expose to the utmost peril,
 “ in defence of the House of Commons, according
 “ to their Protestation,” &c.

The other was a Petition in the Names of many thousands of poor People, and brought by a multitude of such, who seemed prepared for any Exploit. I have thought fit, for the rareness of it, and the rare Effect it produced, to insert that Petition in Terms as it was presented, Thus.

To the Honorable the House of Commons now assembled in Parliament.

“ The humble Petition of many thousands of poor People in and about the City of *London*.

“ Humbly sheweth, that your Petitioners have
 “ lain a long time under great pressures, and grie-
 “ vances both in Liberties and Consciences, as hath
 “ been largely, and sundry times, showed and
 “ declared, by several Petitions exhibited to this
 “ Honorable Assembly both by the Citizens, and
 “ Apprentices of the City of *London*, and divers
 “ Counties and parts of this Kingdom, from which
 “ we hoped long ere this, by your pious care, to
 “ have been delivered.

“ But now we, who are of the meanest Rank and

“ Quality, being touched with penury, are very
 “ sensible of the approaching storms of Ruin, which
 “ hang over our Heads, and threaten to overwhelm
 “ us, by reason of the sad distractions occasioned
 “ chiefly and originally, as your Petitioners humbly
 “ conceive, by the prevalency of the Bishops, and
 “ the Popish Lords, and others of that Malignant
 “ Faction; who make abortive all good Motions,
 “ which tend to the Peace, and Tranquillity of this
 “ Kingdom of *England*, and have hitherto hindered
 “ the sending relief to our Brethren in *Ireland*,
 “ although they lie weltering in blood: which hath
 “ given such head to the Adversaries, that we justly
 “ fear the like calamities inevitably to befall us Here,
 “ when they have vented their rage and malice
 “ There.

“ All which, occasions so great a decay and stop
 “ of Trade, that your Petitioners are utterly im-
 “ poverished, and our miseries are grown insupport-
 “ able, we having already spent all that little means,
 “ which we had formerly, by God’s blessing, and our
 “ great labor, obtained; and many of us have not,
 “ nor cannot tell where to get, bread to sustain our-
 “ selves and families; and others of us are almost
 “ arrived at the same Port of calamity; so that
 “ unless some speedy remedy be taken for the re-
 “ moval of all such obstructions, which hinder the
 “ happy progress of your great endeavours, your
 “ Petitioners shall not rest in quietness, but shall
 “ be forced to lay hold on the next remedy, which
 “ is at hand, to remove the disturbers of our Peace;
 “ Want and necessity breaking the bounds of Mo-

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B O O K “deſty: and rather than your Petitioners will ſuffer
 IV. “themſelves, and their families, to periſh through
 “Hunger and neceſſity, though hitherto patiently
 “groaned under, they cannot leave any means
 “unefſayed for their relief.

“The Cry therefore of the Poor, and Needy,
 “your Poor Petitioners, is, that ſuch Perſons, who
 “are the obſtacles of our peace, and hinderers of
 “the happy proceedings of this Parliament, and
 “the enjoyment of the looked for purity of Religion,
 “ſafety of our lives, and return of our welfares,
 “may be forthwith publicly declared, to the end
 “they may be made manifeſt; the removal of whom
 “we humbly conceive will be a Remedy to cure
 “our miſeries, and put a period to theſe diſtractions:
 “and that thoſe Noble worthies of the Houſe of
 “Peers, who concur with your happy Votes, may
 “be earneſtly deſired to join with this Honorable
 “Houſe, and to Sit and Vote as one entire body;
 “which we hope will remove from us our deſtruc-
 “tive Fears, and prevent that, which Apprehenſion
 “will make the Wiſeſt and Peaceableſt men to put
 “into Execution.

“For the Lord's ſake hear us, and let our Religion,
 “Lives, and Welfares be precious in your ſight,
 “that the loins of the Poor may bleſs you, and
 “pray, &c.”

After this ſcandalous, and extravagant Petition
 delivered, the Houſe, according to its gracious
 cuſtom, ordered thanks to be given for their great
 kindneſs. To the Which when it was delivered by

the Speaker, who told them that the House was in consideration of those things, whereof they complained, some of that rabble, no doubt as they had been taught, replied, "that they never doubted the House of Commons, but they heard all stuck in the Lords House, and they desired to know the Names of those Peers, who hindered the agreement between the Good Lords and the Commons:" which they pressed with unheard of rudeness and importunity, and with a seeming unwillingness withdrew, whilst the House took the matter into further consideration.

Yet notwithstanding this Provocation, and that it was urged by many Members, some of which had been assaulted and ill treated by that Rabble in their passage to the House, "that the countenancing such Licentious persons and proceedings would be a great blemish to their Counsels," they were again called in; and told, "that the House of Commons had endeavoured, and would continue those endeavours for their relief; and they doubted not, when they had delivered their Petition, and what they had said, to the Lords, which they would presently do, the causes of their evils would be found out, and some speedy course resolved upon for their relief; and therefore desired them with patience to attend a further Answer." And accordingly that Petition was solemnly read, and delivered to the Lords at a Conference; and the Conference no sooner ended, than Mr. *Hollis*, one of those Five whom the King had accused a Month before of High-Treason, was sent

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to the Lords in a Message to desire them, "that they would join with the House of Commons in their desire to the King about the Militia;" to which he added, "that if that desire of the House of Commons was not assented to he desired those Lords who were willing to concur, would find some means to make themselves known, that it might be known who were against them, and they might make it known to those that sent them."

After which Motion, and Message, the Lords again resumed the debate; which the Earl of *Northumberland* begun, with a protestion, "that who-soever refused, in that particular, to join with the House of Commons, were, in His opinion, Enemies to the Common-wealth;" when the Major part of that House had twice before refused to concur with them in it. Yet when his Lordship was questioned for that Unparliamentary language, all the other Lords of that Faction joined with him; and declared, "that it was Their opinion likewise:" the Rabble being at the door to execute whatever they were directed: so that many Lords, out of a just indignation to see their Honors, and their Liberties Sacrificed to the People by Themselves; others, out of real fear of being murdered, if they should, in that conjuncture of time, insist on their former resolutions, withdrawing themselves; the Major part of those, who stayed, concluded to join with the House of Commons in their desire concerning the Militia.

The Lords
pass the Bill
touching the
Militia;

Within two days after this agreement, and submission of the Lords, another Petition was presented

to the Commons, in the name of the Inhabitants of the County of *Surry*, by a multitude of People, who were, or pretended to be, of that County, and Subscribed by above two thousand hands. Their Petition was of the ordinary strain, full of devotion to the House of Commons, and offering to execute all their commands; but with it they presented likewise a Petition, which they intended to present to the Lords, if They approved it, and was Subscribed by above two thousand hands; by which it may appear Where that Petition was drawn, and When, however the hands were procured. The Petition to the Lords took notice “ of their
 “ happy concurrence with the House of Commons in
 “ settling the Militia, and Forts, in such hands as
 “ the Common-wealth might Confide in, and the
 “ Kingdom in such a posture as might be for its
 “ defence, and safeguard: yet they complained of
 “ the miserable condition of *Ireland*, which, they
 “ said, by the delay it had found amongst their
 “ Lordships, notwithstanding the pressing endeavours of the House of Commons, together with
 “ many of their Lordships, had been exposed to
 “ the inhuman cruelties of their merciless Enemies.
 “ With like grief they apprehended the Distractions
 “ of this Nation, the composition of which was
 “ altogether hopeless, so long as the King’s Throne
 “ was surrounded with evil Counsellors, and so
 “ long as the Votes of Popish Lords, and Bishops,
 “ were continued in their House.
 “ Wherefore they did humbly pray, and beseech
 “ their Lordships, that they would go on in a constant

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“ Union with the House of Commons, in providing
 “ for the Kingdom’s safety; that all evil Counsellors
 “ might be found out; *Ireland* relieved; that the
 “ Votes of the Popish Lords, and Bishops, might
 “ be speedily removed; that so the Peace of the
 “ Kingdom might be established, the Privileges of
 “ Parliament vindicated, and the purity of Religion
 “ settled, and preserved. And, they said, they should
 “ be in duty obliged to defend, and maintain with
 “ their lives and Estates, their Lordships, as far as
 “ they should be united with the Honorable House
 “ of Commons, in all their just and pious pro-
 “ ceedings.”

Which Petition was read in the House of Com-
 mons, and approved, and the Petitioners thanked
 for their kind expressions therein; and then it was
 delivered by them at the Bar of the House of Peers;
 who, within a day or two, passed both the Bill
 for taking away the Bishops Votes, and that con-
 cerning Pressing, which had lain so long desperate,
 whilst the Lords came, and sat with freedom in
 the House. And these marvellous things done, they
 again Adjourn both Houses into *London*, to lay the
 Scene for future Action.

and the Bills
 touching the
 Bishops Votes,
 and Pressing.

Both Houses
 adjourn a-
 gain into
 London.

Both Houses
 Petition the
 King touch-
 ing the Tow-
 er, Forts, and
 Militia, etc.
 Feb. 2.

Upon the second day of *February*, some Members,
 appointed by both Houses, attended his Majesty at
Windfor with their Petition, “ that he would forth-
 “ with put the Tower of *London*, and all other
 “ Forts, and the whole Militia of the Kingdom
 “ into the hands of such persons, as should be re-
 “ commended unto his Majesty by both Houses of
 “ Parliament; which, they assured themselves,

“ would be a hopeful entrance into those courses, BOOK
 “ which, through God’s blessing, should be effectual IV.
 “ for the removing all diffidence, and mis-appre-
 “ hension between his Majesty and his People; and
 “ for establishing and enlarging the honor, greatness,
 “ and Power of his Majesty, and Royal posterity;
 “ and for the restoring and confirming the Peace,
 “ and happiness, of his loyal Subjects in all his
 “ Dominions. And to that their most necessary
 “ Petition, they said, they did, in all humility,
 “ expect his speedy and gracious Answer, the great
 “ Distractions, and Distempers of the Kingdom,
 “ not admitting any delay.”

At the same time they likewise presented another
 Petition to him, concerning the accused Members;
 in which they besought him “ to give directions,
 “ that the Parliament might be informed before
 “ *Friday* next (which was within two days) what
 “ proof there was against them, that accordingly
 “ they might be called to a legal Trial; it being the
 “ undoubted right, and Privilege of Parliament,
 “ that no Member of Parliament could be proceeded
 “ against, without the consent of Parliament.”

His Majesty now found that these persons could
 not be compounded with, and that their purpose
 was, by degrees, to get so much Power into Their
 hands, that they need not care for what was left in
 His; and that the Lords were in no degree to be
 relied upon to maintain their Own Privileges, much
 less to defend His Rights; and that they had the
 power generally to impose upon the People’s Under-
 standing contrary to their own Senses, and to per-

- B O O K** suade them, "that they were in danger to be invaded
IV. "by foreign Enemies," when the King was not only in peace with all Christian Princes, but almost all other Nations so imbroiled in War, that they all desired the Friendship and Assistance of *England*; none was in case or condition to disturb it: "and
 "that there was a decay and deadness of Trade, and
 "Want and Poverty growing upon the whole King-
 "dom," when no man living had ever remembered the like Plenty over the whole Land, and Trade was at that height, that the like had never been known.

The King
 resolves to
 remove fur-
 ther from
 London.

He resolved therefore to remove himself to a greater distance from *London*, where' the Fears and Jealousies grew; and constantly to deny to pass any Act, that should be recommended to him from the two Houses, except what might concern *Ireland*, till he might have a full prospect of all they intended to demand, and an equal assurance how far they intended to gratify him for all his condescensions; which resolution was very Parliamentary, it having been rarely known, till this present Parliament, that the King consented to any Acts, till the determination of the Session.

The truth is, when his Majesty found the extreme ill success of the accusation against the Members, and that the Tumults, and the Petitioners, were no other than an Army at the disposal of those, in whom he had no reason to put his confidence, and that all such who expressed any eminent zeal to his Service, would be taken from him under the style of Delinquents and Malignants, he resolved that
 the

the Queen, who was very full of fears, should go to *Portsmouth*, Colonel *Goring*, who was Governor thereof, having found means to make good impressions again in their Majesties of his Fidelity; and that Himself would go to *Hull*, where his Magazine of Canon, Arms, and Ammunition was; and that being secured in those strong places, whither they who wished him well, might resort, and be protected, he would sit still, till they who were over-active, would come to reason.

But this, though resolved with so much secrecy, that it was not communicated to three persons (as I have been since assured by those who knew) whether by the Treachery of one of those few, or by the Curiosity of others (which I rather believe) who found means to over-hear all private discourses (as both Bed-Chambers were inhabited, and every corner possessed, by diligent Spies upon their Master, and Mistress) was imparted to those who procured those Orders before mentioned for *Hull* and *Portsmouth*; by reason whereof, and the advice, and promise of many Lords, "that they would firmly unite themselves for the just support of the Regal power," with the extreme apprehension the Queen had of danger, that Counsel was laid aside. That, which wrought so much upon the Queen's fears; besides the general observation how the King was betrayed, and how his Rights, and Power, were every day wrested from him, was an advertisement, that she had received, of a design in the prevalent Party to have accused her Majesty of High-Treason; of which, without doubt, there had been some

B O O K discourse in their most private Cabals, and, I am
IV. persuaded, was imparted to her upon design, and by connivance (for there were some incorporated into that Faction, who exactly knew her nature, passions, and infirmities) that the disdain of it might transport her to somewhat which might give Them advantage. And shortly after that discovery to her Majesty, those persons before mentioned were accused of High-Treason; yet afterwards, when they had received the full fruits, they found means to complain, "as a great argument of the malignity of those persons of nearness to both their Majesties, that an infusion had been made to the Queen, that there was a purpose of accusing her of High-Treason," and solemnly by Message "besought her to discover, Who had done that malicious Office;" when they very well knew Who it was, and for Whose sake the Queen was brought to return Answer, "that she had heard such a discourse; but took no notice of it, as never believing it;" whereas if she could have been compelled to have discovered, how they knew that the Queen had been informed, all the secret would have appeared; the same person first telling her what was in projection against her, and then returning Intelligence of any expressions, and distemper, he might easily observe upon the apprehension which the other begot.

But both King and Queen were then upon that disadvantage, that all their words, and actions, which were the pure results of their own reasons, and judgments upon what they saw every day oc-

curred, were called the effects of evil Counfels, that
 fo they might take the liberty to reproach them with
 the more licence; whilst what they received by the
 moft fecret perjury of Bed-Chamber-Spies, or what
 they forged themfelves, was urged as the refult of
 common Fame, or the effects of their Fears and
 Jealoufies; to the rancor of which the moft precious
 balm of the Crown muft be applied. And therefore
 it was concluded, "that the Queen fhould take the
 " opportunity of her Daughter the Princefs *Mary's*
 " Journey into *Holland*" (who had been before mar-
 ried to the young Prince of *Orange*, and was now
 folemnly defired by the States Ambaffadors to come
 into that Country) "to transport herfelf into *Hol-*
 " *land*, patiently to expect an amendment of the
 " affairs of *England*; and that the King fhould retire
 " into the North, and refide at *York*, and deny all
 " Particulars, till the Whole alteration fhould be
 " framed." But the firft refolution concerning the
 Queen was only publifhed, the other, concerning
 the King, communicated to very few; both their
 Majefties being reduced to fo great wants, that the
 Queen was compelled to coin, or fell her Chamber-
 Plate for the fupply of her moft neceffary occafions,
 there being no money in the Exchequer, or in the
 power of the Minifters of the Revenue; the Officers
 of the Customs, out of which the allowance for the
 weekly fupport of their Majefties Houfehold had been
 made, being enjoined by the Houfe of Commons,
 not to iffue out any money, without their particular
 confent, and approbation.

It was evident now that the accused Members

BOOK were too mighty for the King or the Law, and that
IV. they would admit no other Judges of their guilt, than Themselves, nor rules of proceeding than the Plurality of their own voices: and therefore the King resolved to give over any more thought of that business. And so to that Petition he Answered, "that
 " as he once conceived that he had ground enough
 " to accuse them, so Now he found as good cause
 " wholly to wave any prosecution of them." The other Petition concerning the Militia gave him more trouble; for though he was resolved in no degree to consent to it, yet he was willing, till all things could be ready for the Queen's Journey, and so for his own remove, rather to Delay it, than Deny it; lest the same Army of Petitioners might come to *Windfor* to persuade him, which had Converted, or prevailed over the House of Peers. And he was persuaded by some, who thought they knew the temper of both Houses, that though they were now united in the Matter, they might easily be divided upon the Circumstances; and that they would not be of one mind in the election of the Persons to be Confided in. So that to that Petition his Majesty returned this Answer:

The King's
 Answer to
 the Petition
 concerning
 the Militia.

" That he was willing to apply a remedy not only
 " to their Dangers, but to their Doubts and Fears;
 " and therefore that when he should know the extent
 " of power, which was intended to be established
 " in those persons, whom they desired to be Com-
 " manders of the Militia in the several Counties,
 " and likewise to what time it should be limited,
 " that no power should be executed by his Majesty

“ alone without the advice of Parliament, Then he
 “ would declare that he would be content to put
 “ in all the Forts, and over the Militia, such per-
 “ sons as both Houses of Parliament should either
 “ approve, or recommend to him; so that they be-
 “ fore declared the names of the persons, whom
 “ they should approve or recommend; and so that
 “ no Persons should be named by them, against
 “ whom his Majesty should have just, and Unques-
 “ tionable exception.”

B O O K
 IV.

Which Answer, though it was not a Consent, gave them notable encouragement, and exceedingly united the vulgar minds to them; who concurred only with them, as they saw them like to Prevail in what they went about. And there was no danger of any disunion in the Nomination of Persons; because, though they should at first admit such into the Number, whom they could not sufficiently trust, nor plausibly except against, yet when they were once possessed of the power of Nomination, they might easily Weed out those which were not agreeable to the Soil they were planted in. However this would take up some time; and therefore to keep the King's inclination to gratify them (for so they would understand it) warm, the same day they received this Answer, they returned a Message of thanks; and desired his Majesty, “ whilst they were
 “ preparing all other particulars according to his
 “ command, that he would confer the custody of
 “ the Tower upon Sir *John Coniers*,” whom they had lately recommended to his Majesty as a person of great merit. With which being surpris'd, and

The House of
 Commons re-
 turn the
 King thanks;

B O O K

IV.

and desires Sir
John Coniers
may be made
Lieutenant of
the Tower.

The King
consents to
it.

desired likewise by Sir *John Byron* to free him from the Agony and vexation of that place, which had exposed his person and reputation to the rage and fury of the People, and compelled him to submit to such reproaches, as a generous Spirit could not brook without much regret; for he had upon frivolous surmises been sent for as a Delinquent, and been brought upon his knees at the Bar of both Houses; his Majesty consented to that alteration, and made Sir *John Coniers* Lieutenant of the Tower. Which was such an instance of his yielding upon Importunity, that from That time they thought themselves even possessed of the whole Militia of the Kingdom.

Whilst all diligence was used in making preparation for the Queen's Journey; to divert their Councils from other inquisition, the King (who had received so many sharp expostulations for breach of Privileges, and other attempts upon their reputations) resolved upon their publication of a bold scandal upon himself by one of their principal Members, to expostulate with them, and try what satisfaction and reparation they were prepared to Give him, who exacted so much From him. All opportunities had been taken in Public, and all licence given to Private and clandestine forgeries to lay odious, or envious imputation on the King and Queen, in the business of *Ireland*; and to impute the progress and success of that Rebellion to a connivance, if not a countenance, from the Court: the not levying men, and sending provisions, imputed to his Majesty; though he had, as is before

observed, offered to levy ten thousand Volunteers for that Service, and had consented cheerfully to every proposition, that had been made with the least reference to the assistance of that Kingdom. Indeed he was so alarmed with those perpetual odious suggestions, which he perceived wrought very pernicious effects in the minds of the People, that he was compelled to consent to many things contrary to his judgment, and Kingly policy, to prevent greater inconveniences by those scandals, which he saw were prepared for him. So when several Propositions were recommended to him by the two Houses concerning those Supplies, which were to be sent out of *Scotland*, amongst the rest, there was one, "that the Scots should have the Command, and keeping of the Town, and Castle of *Carrickfergus*; and if any Regiments, or Troops, in that Province should join with them, that they should receive Orders from the Commander of the Scottish Forces." The King consented to all the rest, though there were matters unreasonable enough in favor of that Nation; but, "That, he said, " he could not approve of;" and wished "the Houses to take that Proposition again into consideration, as a business of very great importance, which he doubted might prove prejudicial to the Crown of *England*, and the Service intended. And he said, if the Houses desired it, he would be willing to speak with the Scottish Commissioners, to see what satisfaction he could give them therein " This Answer was no sooner read, but both Houses Voted, " that whosoever gave the

B O O K
IV.

BOOK IV. "King advice, or counsel, to send that Answer, " was an Enemy to the King, and Kingdom," and a Committee appointed to find out who those evil Counsellors were. So that, the Scottish Commissioners pressing him, "that being their Native King, " he should not publish a less Trust and confidence " in them, than their Neighbour-Nation had done," his Majesty thought fit to consent to the whole, as the two Houses had advised.

Then, in the carrying on the War, they allowed his Majesty so little power, that when he recommended some Officers of prime quality, reputation, and experience in the War, to the Lord Lieutenant to be employed in that Service, the House of Commons by express Order, and after they knew that his Majesty had recommended them, rejected them, because they were taken notice of to have attended upon the King at *White-Hall*, as a Guard to his person. And after all this, they took all occasions to asperse him with any omissions that were in that great work; as Mr. *Pym* had more particularly done, in that Speech before taken notice of, at the Conference with the Lords, upon the delivery of those Seditious Petitions; of which the King could not take notice, lest he should be again reproached with Breach of Privilege.

But when that Speech was printed by Order of the House, the King thought he had an opportunity to require a vindication; and therefore, in a letter to the Speaker, he sent this Message: " That he had " taken notice of a Speech, pretended by the title " to have been delivered by Mr. *Pym* in a Confe-

The King
demands re-
paration for

" rence, and printed by Order of the House of Com- B O O K
 " mons; in which it was affirmed, that Since the IV.
 " stop upon the Ports against all Irish Papists of
 " both Houses, many of the chief Commanders, an expression
 " now in the head of the Rebels, have been suffered in a prior'd
 " to pass by his Majesty's immediate Warrant: and Speech of Mr.
 " being certain of having used extreme caution in Pym's,
 " the granting of Pass-Ports into *Ireland*, he con-
 " ceived, either that Paper not to have been so de-
 " livered, and printed, as is pretended; or, that
 " House to have received some misinformation. And
 " therefore his Majesty desired to know, whether
 " that Speech had been so delivered, and printed;
 " and if it had, that the House would review, upon
 " what information that particular had been groun-
 " ded, that either it might be found upon re-exami-
 " nation false, and so both the House, and his
 " Majesty to have been injured by it; or that his
 " Majesty might know, by what means, and by
 " whose fault, his Authority had been so highly
 " abused, as to be made to conduce to the assistance
 " of that Rebellion, which he so much detested
 " and abhorred; and that he might see himself fully
 " vindicated from all reflections of the least sus-
 " picion of that kind."

It was some time before they would vouchsafe The House of
 any Answer to the King upon this Message; but at Commons
 last they returned, " that the Speech, mentioned in Answer,
 " that Message, was printed by their Order, and
 " what was therein delivered, was agreeable to the
 " sense of the House: That they had received di-
 " vers advertisements concerning the several persons,

B O O K

IV.

“ Irish Papists, and others, who had obtained his Majesty’s immediate Warrant for their passing into *Ireland*, Since the Order of restraint of both Houses; some of which, as they had been informed, since their coming into *Ireland*, had joined with the Rebels, and been Commanders amongst them; and some others had been slayed, and were yet in safe Custody.”

Then they named some, to whom Licences had been granted Before the Order of restraint, and were still in *England*; and said, “ there were others, whose Names they had not yet received, but doubted not, upon examination, they would be discovered.”

The King’s
reply.

To this the King replied, and told them, “ that as He had expressed a great desire to give Them all possible satisfaction to all their just requests, and a readiness to rectify, or retract, any thing done by himself, which might seem to intrench upon their Privileges by any mistake of his; so, he hoped, They would be ready, upon all occasions, to manifest an equal tenderness and regard of His Honor, and reputation with his Subjects: and therefore, he expected they should review his Message concerning Mr. *Pym*’s Speech, and their Answer, with which he could not rest satisfied. He said, he was most assured that No person, who had Command in the head of the Rebels, had passed by his Warrant, or Privity. And then, he desired them to consider, whether such a General information, and advertisement, as they implied in their Answer, without the Name of

“ any Particular person, was a ground enough for
“ such a direct and positive Affirmation, as was
“ made in that Speech; which, in respect of the
“ place and person, and being now acknowledged
“ to be according to the sense of the House, was of
“ that Authority, that his Majesty might suffer in
“ the Affections of many of his good Subjects, and
“ fall under a possible construction, considering
“ many scandalous Pamphlets to such a purpose,
“ of not being sensible enough of that Rebellion,
“ so horrid, and odious to all Christians; by which,
“ in that distraction, such a danger might possibly
“ ensue to his Majesty’s person, and Estate, as he
“ was well assured they would endeavour to pre-
“ vent. And therefore, he thought it very necessary,
“ and expected that they should Name those persons
“ who had passed by his Licence, and were then
“ in the head of the Rebels: or if, upon their re-
“ examination, they did not find Particular evi-
“ dence to prove that assertion (as he was most con-
“ fident they never could) as that Affirmation,
“ which reflected upon his Majesty, was very Pub-
“ lic, so they would publish such a Declaration,
“ whereby that mistake might be discovered; he
“ being the more tender in that particular which had
“ reference to *Ireland*, and being most assured, that
“ he had been, and was, from his Soul, resolved
“ to discharge his duty, for the relief of his poor
“ Protestant Subjects, and the utter rooting out that
“ Rebellion; so that Service had not suffered for
“ the want of any thing proposed to him, and within
“ His power to grant.”

BOOK

IV.

He said, " in this matter he had diligently examined his own memory, and the notes of his Secretaries;" and then named all the Irish persons to whom he had given any Licences to go into that Kingdom, since the beginning of that Rebellion; and said, " he was well assured, none of Them were with the Rebels; and though some of them might be Papists, yet he had no reason to have any suspicion of them, in respect of their alliance with persons of great Honor and Power in that Kingdom, of whose fidelity to him he had good assurance; and the Lords Justices Themselves having declared, that they were so far from owning a jealousy of All Papists there, that they had put Arms into the Hands of divers Noblemen of that Religion, within the Pale, which the Parliament had well approved of. And therefore, unless the first Affirmation of the House of Commons could be made good by some Particulars, he expected a vindication by such a Declaration as he had proposed; which, he said, was, in duty and Justice, due to him."

But this, and any thing else could be said, was so far from procuring any Reparation, that when they perceived the King still pressed for that Justice, and apprehended that many would believe it due to him, and that the prejudice they had raised to him for *Ireland* would be removed thereby, they confidently published another Declaration of several persons Names, to whom they said the King had granted Passes, and were then Commanders in the Rebels Army, of whose Names his Majesty had

never before heard, to whom no Passes had been granted, neither did he believe that there were such men in Nature: and so left the People to believe as they found themselves inclined upon the King's denial, or Their so Particular, and positive affirmation.

These proceedings of the Parliament made a deep impression upon all Noble and generous persons, who found that their Pride, and Ambition was so great, that they resolved to remove all persons, who were like to stand in their way by opposing any thing they desired, or by filling any place, or office, which they designed should be executed by some other person, in whom they could Confide. The Earl of *New-Castle*, who was Governor to the Prince, knew very well in what prejudice he stood with the Earls of *Essex*, and *Holland* (two very powerful persons) upon the Account of the Challenge formerly mentioned to be sent by him to the latter of the two, who would be glad of any opportunity to expose him to an affront; and that they would find occasions enough upon the account of his known affections to the King's Service, from which it was not possible to remove or startle him. He knew they liked not that he should have the Government of the Prince, as one, who would infuse such principles into him, as would not be agreeable to their Designs, and would dispose him to no kindness to their Persons, and that they would not rest, till they saw another man in that province; in order to which, they would pick all quarrels they could, and load him with all reproaches,

B O O K

IV.

The Earl of
New Caſ-
tle reſigns
his place of
Governor to
the Prince.

which might blaſt him with the People, with whom he had a very good reputation. Upon thoſe conſiderations, and ſome other inaginations upon the proſpect of affairs, he very Wiſely reſolved to retire from the Court, where he had expended much of his own Fortune, and only made himſelf obnoxious to the malice, and envy of other pretenders; and deſired the King to approve of this his reaſonable inclination, and to put the Prince under the Tuition of ſome perſon of Honor of unqueſtionable fidelity to him, and above the reach of Popular diſapprobation; and, at the ſame time mentioned the Marquis of *Hertford*, who was indeed Superior to any Temptations. The King could not diſlike the Earl's Judgment upon his own intereſt, and concernment; and did foreſee likewiſe that he might probably have occaſion to uſe his Service under another qualification; and therefore was well contented to diſmiſs him from the Prince.

The Marquis
of Hertford
ſucceeds him.

The Marquis of *Hertford* was a Man of great Honor, Intereſt, and Eſtate, and an univerſal eſteem over the whole Kingdom; and though he had received many, and continued diſobligations from the Court, from the time of this King's coming to the Crown, as well as during the Reign of King *James*, in both which ſeaſons, more than ordinary care had been taken to diſcountenance and leſſen his Intereſt; yet he had carried himſelf with notable ſteadineſs, from the beginning of the Parliament, in the ſupport and defence of the King's Power and Dignity, notwithstanding all his Allies, and thoſe with whom he had the greateſt Familiarity and

Friendship, were of the opposite Party; and never concurred with them against the Earl of *Strafford*, whom he was known not to love, nor in any other extravagancy. B O O K IV.

And then, he was not to be shaken in his affection to the Government of the Church; though it was enough known that he was in no degree biassed to any great inclination to the Person of any Church-man. And with all this, that Party carried themselves towards him with profound respect not presuming to venture their own credit in endeavouring to lessen His.

It is very true, he wanted some of those qualities, which might have been wished to be in a Person to be trusted in the Education of a great, and hopeful Prince, and in forming of his Mind and Manners in so tender an Age. He was of an Age not fit for much Activity and Fatigue, and loved, and was even wedded so much to his Ease, that he loved his Book above all Exercises; and had even contracted such a Laziness of Mind, that he had no delight in an open and liberal Conversation; and cared not to discourse, and argue on those points, which he understood very well, only for the trouble of contending; and could never impose upon himself the pain that was necessary to be undergone in such a perpetual attendance: but then those lesser duties might be otherwise provided for, and he could well Support the dignity of a Governor, and exact that diligence from others, which he could not exercise Himself; and his Honor was so unblemished, that none durst murmur against the

- B O O K** designation; and therefore his Majesty thought him
 IV. very worthy of the high Trust, against which there was no other exception, but that He was not Ambitious of it, nor in truth willing to receive and undergo the Charge, so contrary to his natural Constitution. But in his pure Zeal and Affection for the Crown, and the Conscience, that in this conjuncture his submission might Advance the King's Service, and that the refusing it might prove disadvantageous to his Majesty, He very cheerfully undertook the Province, to the general Satisfaction and Public Joy of the whole Kingdom; and to the no little Honor and Credit of the Court, that so important and beloved a Person would Attach himself to it under such a relation, when so many, who had scarce ever eaten any Bread but the King's, Detached themselves from their dependance, that they might without him, and against him, preserve and improve those Fortunes, which they had procured and gotten under him, and by his Bounty.

The King
 pressed to
 pass the Bill
 against the
 Bishops Votes.

Now the Bill for the taking away the Votes of Bishops out of the House of Peers, which was called a Bill for taking away all Temporal Jurisdiction from those in holy Orders, was no sooner passed the House of Peers, than the King was earnestly desired to give "his Royal Assent to it. The King returned, that it "was a matter of great Concernment; and therefore "He would take time to advise, and would return "an Answer in convenient time." But this delay pleased not their appetite; they could not attempt their perfect Reformation in Church and State, till those Votes were utterly abolished; therefore they
 sent

sent the same day again to the King, who was yet at *Windsor*, and gave him reasons to persuade him
 “ immediately to consent to it; One of which was
 “ the Grievances the Subjects suffered by the Bishops
 “ exercising of Temporal Jurisdiction, and their
 “ making a Party in the Lords House; a Second,
 “ the great content of all sorts by the happy conjunction of both Houses in Their absence: and a
 “ Third, that the passing of that Bill would be a
 “ comfortable pledge of his Majesty’s gracious
 “ Assent to the future Remedies of those evils,
 “ which were to be presented to him, this once being
 “ passed.”

Reasons sufficient to have Converted Him, if he had the least inclination or propensity to have Concurred with them. For it was, upon the matter, to persuade him to join with them in This, because, That being done, he should be able to deny them Nothing.

However those of greatest Trust about the King, and who were very faithful to his Service, though in this particular exceedingly deceived in their judgments, and not sufficiently acquainted with the Constitution of the Kingdom, persuaded him “ that
 “ the passing this Bill was the only way to preserve
 “ the Church, there being so united a Combination
 “ in this particular, that he would not be able to
 “ withstand it. Whereas, by the passing this Bill,
 “ so many persons in both Houses would be fully
 “ satisfied, that they would join in no further alteration: but, on the other hand, if they were
 “ crossed in This, they would violently endeavour

BOOK

IV.

“ an Extirpation of Bishops, and a demolishing of the whole Fabric of the Church.

“ They alledged that he was, upon the matter, deprived of their Votes already, they being not suffered to come to the House, and the Major part in Prison under a accusation of High-Treason, of which there was not like to be any Reformation, till these present Distempers were composed; and then that by his Power, and the memory of the Indirect means that had been used against them, it would be easier to bring them in Again, than to keep them in Now. They told him, there were two matters of great Importance pressed upon him for his Royal Assent, but they were not of equal consequence, and concernment to his Sovereign Power; the first, that Bill touching the Bishops Votes; the other, the Whole Militia of the Kingdom, the granting of which would absolutely divest him of all Regal Power; that he would not be able to deny Both; but by granting the former, in which he parted with no matter of Moment, he would, it may be, not be pressed in the second; or if he were, that as he could not have a more Popular quarrel to take up Arms, than to defend himself, and to preserve that Power in his hands, which the Law had vested in him, and without which he could not be a King; so he could not have a more Unpopular argument for that contention, than the preservation of the Bishops in the House of Peers, which few Men thought Essential, and most Men believed Prejudicial, to the Peace and Happiness of the Kingdom.”

These arguments, though used by Men whom he most trusted, and whom he knew to have opposed that Bill in its passage, and to be cordially friends to the Church of *England* in Discipline and Doctrine, prevailed not so much with his Majesty, as the Persuasions of the Queen; who was not only persuaded to think those reasons valid (and there are that believe that Infusion to have been made in Her by her own Priests, by Instructions from *France*, and for reasons of State of that Kingdom) but that her own Safety very much depended upon the King's consent to that Bill; and that, if he should refuse it, Her Journey into *Holland* would be crossed by the Parliament, and possibly her Person in danger either by the Tumults, which might easily be brought to *Windfor* from *Westminster*, or by the Jurisdiction of the Counties in Her passage from thence to *Dover*, where she intended to take Shipping. Whereas by Her intercession with the King to do it, she would lay a most seasonable and Popular Obligation upon the whole Nation, and leave a pleasant odor of Her Grace and Favor to the People behind her, which would prove much to her advantage in her absence; and she should have the thanks for that Act, as acquired by Her goodness, which otherwise would be extorted from the King, when she was gone.

These Insinuations and Discourses so far satisfied the Queen, and She the King, that, contrary to his most positive Resolution, the King consented, and sent a Commission for the enacting both that Bill, and the other about Pressing; which was done accordingly, to the great Triumph of the Boutefeus, the

B O O K
IV.

The King
passes that
Bill, and the
other of Press-
ing, Feb. 14.

BOOK IV. King sending the same day that he passed those Bills, which was the fourteenth of *February*, a Message to both Houses; "that He was assured his having passed
 " those two Bills, being of so great importance, so
 " suddenly, would serve to assure his Parliament,
 " that he desired nothing more than the Satisfaction
 " of his Kingdom. For *Ireland*, he said, as he had
 " Concurred in all Propositions made for that
 " Service by his Parliament, so he was Resolved to
 " leave nothing undone for their Relief, which
 " should possibly fall within his Power, nor would
 " refuse to venture his own Person in that War,
 " if the Parliament should think it convenient, for
 " the reduction of that miserable Kingdom."

The passing that Bill for taking away the Bishops Votes, exceedingly weakened the King's Party; not only as it swept away so considerable a number out of the House of Peers, which were constantly devoted to him; but as it made impression on others, whose minds were in suspense, as when Foundations are shaken. Besides, they that were best acquainted with the King's Nature, Opinions, and Resolutions, had reason to believe, that no exigence could have wrought upon him to have consented to so Anti-Monarchical an Act; and therefore, never after retained any confidence, that he would deny what was Importunately asked; and so, either absolutely withdrew themselves from those consultations, thereby avoiding the envy, and the danger of opposing them, or quietly suffered themselves to be carried by the Stream, and to consent to any thing that was Boldly and Lustily attempted.

And then it was so far from dividing the other Party, that I do not remember One man, who vehemently insisted on, or indeed heartily wished, the passing of that Bill, that ever deserted them, till the Kingdom was in a Flame: but on the contrary, very many, who cordially and constantly opposed that Act, as friends rather to Monarchy than Religion, after that Bill, never considered or resisted any attempt, or further alteration, in the Church, looking on the Bishops as useless to Sovereignty, and so not of Importance enough to be defended by the Sword. And I have heard the same Men, who urged Before, "that their places in that House " had no relation to the Discipline of the Church, " and their Spiritual Jurisdiction, and therefore " ought to be Sacrificed to the Preservation of the " other, upon which the Peace, and Unity of Religion so much depended," Since argue, "that " Since their power in that House, which was a " good Outwork to defend the King's from Invasion, " was taken away, any other form of Government " would be equally advantageous to his Majesty; " and therefore, that he ought not to insist on it, " with the least inconvenience to his condition."

But that which was above, or equal to all this, was that by his Majesty's enacting those two Bills, he had, upon the matter, approved the Circumstances of their passage, which had been by direct violence, and almost force of Arms; in which case, he ought not to have confirmed the most Politic, or the most Pious Constitutions: *Male posita est Lex, que tumultuarie posita est*, was one of those positions

B O O K of *Aristotle*, which hath Never been since contradicted; and was an advantage, that, being well managed, and stoutly insisted upon, would, in spite of all their Machinations, which were not Yet firmly and solidly formed, have brought them to a temper of being Treated with. But I have some cause to believe, that even this Argument, which was Unanswerable for the Rejecting that Bill, was applied for the Confirming it; and an opinion that the violence, and force, used in procuring it, rendered it absolutely Invalid and Void, made the Confirmation of it less considered, as not being of strength to make that Act good, which was in it-Self Null. And I doubt this Logic had an influence upon other Acts of no less Moment than these: but it was an Erroneous and Unskillful suggestion; for an Act of Parliament, what Circumstances soever concurred in the contriving and framing it, will be always of too great reputation to be avoided, or to be declared Void, by the sole Authority of any Private persons, or the Single power of the King Himself. And though the Wisdom, Sobriety, and Power, of a future Parliament, if God shall ever bless the Kingdom with another Regularly Constituted, may find cause to declare This, or that Act of Parliament, Void; yet there will be the same temper requisite to such a Declaration, as would serve to Repeal it. And it may be Then, many men, who abhorred the thing when it was done, for the Manner of doing it, will be of the Civilians opinion, *facti non debuit, factum valet*; and never consent to the Altering of that, which they would never have consented to

the Establishing of; neither will that Single Precedent of the Judges in the case of King *Henry* the Seventh, when they declared the Act of Attainder to be Void by the Accession to the Crown (though if he had in truth been the person, upon whom the Crown had Lineally and Rightfully descended; it was good Law) find, or make, the Judges of another Age parallel to Them, till the King hath as strong a Sword in his hand, and the People as much at his devotion and disposal; and then the Making, and Declaring Law, will be of equal Facility, though, it may be, not of equal Justice. How much soever the King's Friends were, for the reasons aforesaid; dejected upon the passing those two Acts, it is certain, They who thought they got whatsoever He lost, were mightily Exalted, and thought Themselves now Superior to any Opposition: And what returns of duty and acknowledgment they made to the King for that Grace and Favor, is to be remembered in the next place.

The same day those two Acts were by his Majesty's Commission passed, and as soon as a very short Message of thanks for that favor, as much importing the Safety of both Kingdoms, of *England* and *Ireland*, was consented to, an Ordinance for the settling the Militia was agreed on by both Houses, and, together with a list of the Names of such persons, as for the present they meant to Confide in, was immediately sent to the King for his Approbation; the which, being the most Avowed foundation of all the Miseries that have followed, will be here necessary to be inserted in the very terms

BOOK and form it was agreed upon, and presented; and
IV. was as followeth.

An Ordinance agreed on by both Houses for settling the Militia.

An Ordinance of Both Houses of Parliament for the ordering of the Militia of the Kingdom of England, and Dominion of Wales.

“Whereas there hath been of late a most dangerous and desperate design upon the House of Commons, which we have just cause to believe to be the effect of the bloody Counsels of the Papists, and other ill affected persons, who have already raised a Rebellion in the Kingdom of Ireland, and, by reason of many discourses, we cannot but fear they will proceed, not only to stir up the like Rebellion, and Insurrection in this Kingdom of England, but also to back them with Forces from abroad; for the safety therefore of his Majesty's Person, the Parliament, and Kingdom, in this time of imminent danger, it is ordained by the King, the Lords, and Commons, now in Parliament assembled, That shall have power to assemble, and call together all and singular his Majesty's Subjects within the County of
“as well within Liberties, as without, that are meet and fit for the Wars, and them to Train, Exercise, and put in readiness, and them, after their Abilities, and Faculties, well and sufficiently, from time to time, to cause to be arrayed, and weaponed, and to take the Muster of them in places most fit for that purpose. And shall have power within the said County to nominate, and appoint such persons of Quality, as to him shall seem meet, to be his Deputy Lieutenants to be

“ approved of by both Houses of Parliament : and
“ that any one, or more of the said Deputies, so
“ assigned and approved of, shall in the absence,
“ or by the Command of the said have
“ Power and Authority to do and execute within
“ the County of all such Powers and Au-
“ thorities before in this present Ordinance contain-
“ ed; and shall have power to make Colonels, and
“ Captains, and other Officers, and to remove out
“ of their places, and to make others from time to
“ time, as he shall think fit for that purpose. And
“ his Deputies, Colonels, and Captains,
“ and other Officers, shall have further Power and
“ Authority to Lead, Conduct, and Employ, the
“ persons aforesaid arrayed, and weaponed, as well
“ within the County of as within any other
“ part of this Realm of *England*, or Dominion of
“ *Wales*, for the suppressing of all Rebellions, In-
“ surrections, and Invasions, that may happen, ac-
“ cording as they, from time to time, shall receive
“ directions by his Majesty's Authority, signified
“ unto them by the Lords and Commons, assembled
“ in Parliament. And it is further Ordained, that
“ such, as shall not obey in any of the Premises, shall
“ answer their neglect and contempt to the Lords
“ and Commons, in a Parliamentary way, and not
“ otherwise, nor elsewhere: and that every the
“ Powers, granted as aforesaid, shall continue,
“ until it shall be otherwise ordered, or declared by
“ both Houses of Parliament, and no longer.
“ This to go also to the Dominion of *Wales*.”

A second Act of the same day, and the only way

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they took to return their thanks and acknowledgement to the Queen for her intercession, and mediation in the passing those Bills, was the opening a Letter they intercepted, which was directed to her Majesty. The Lord *Digby*, after their Majesties going to *Windsor*, when he found in what umbrage he stood with the powerful and prevailing Party, and that they were able to improve his going through a Town in a Coach and six horses to a Warlike appearance, and so to expose him to the fury of the People, at least to the power of the Counties, to be suppressed, as they had done by their Order, or Proclamation of the twelfth of *January*, before remembered, and appointed to be read in all Market-Towns throughout *England*; concluded for his own security, and to free the King's Councils from the imputation of his evil influence, to remove himself into some parts beyond the Seas: and so, by the King's leave, and by his licence; was transported into *Holland*, from whence he writ some Letters to his friends at *London*, to give them an account where he was, and for supplying himself with such accommodations as he stood in need of. Amongst these Letters there was one to his Brother-in-Law Sir *Lewis Dives*, which, by the treachery of that person, to whose care it was intrusted for conveyance, was brought to the House of Commons; and it being averred, "that it came from the Lord *Digby*," whom they looked upon as a Fugitive, they made no scruple of opening it; and finding another in it directed to the Queen, after a very little pause they did the like; for which they made no other excuse

(when upon a Message from the King they sent her the transcript, for the Original they still kept) than, “that having opened the other Letters, and finding “in them sundry expressions full of asperity, and “malignity to the Parliament, they thought it very “probable, that the like might be contained in that “to her Majesty; and that it would have been dishonorable to her Majesty, and dangerous to the “Kingdom, if it should not have been opened: “And they besought the King to persuade her Majesty, that she would not vouchsafe any countenance to, or correspondence with, the Lord *Digby*, “or any other of the Fugitives or Traitors, whose “offences were under the examination and judgment of Parliament.”

In that Letter to the Queen were these words, “If the King betake himself to a safe place, where “he may avow and protect his servants (from rage “I mean and violence; for from justice I will never “implore it) I shall then live in impatience, and “in misery, till I wait upon you. But if, after all “he hath done of late, he shall betake himself to “the easiest and compliantest ways of accommodation, I am confident, that then I shall serve “him more by my absence, than by all my industry. And in that to Sir *Lewis Dives*, were these words: “God knows, I have not a thought to make me “blush towards my Country, much less criminal; “but where Traitors have so great a sway, the “honestest thoughts may prove most Treasonable.” Which gave those, that thought themselves concerned, so great offence, that within two days after,

- B O O K** they accused him of High-Treason; and finding no words in the Letter would amount to that offence, they accused him of levying War against the King; which could have relation to no Act of his, but what was before mentioned at *Kingston upon Thames*, when to the terror of the King's Subjects, he was seen there in a Coach with six Horses. Though this extravagancy of theirs seems to be directed against a particular person, I could not omit it in this place, being accompanied with those circumstances. And it may be, posterity may look upon the severe prosecution of a young Noble-man of admirable parts, and eminent hopes, in so implacable a manner, as a most pertinent instance of the Tyranny, and Injustice of that time, not possible to end, but in so much wickedness as hath since been practised.

The Attorney General is impeached by the Commons.

A third Act of that day was the carrying up an Impeachment to the Lords against the King's Attorney General, "for maliciously advising and contriving the Articles upon which the Lord *Kimbolton*, Mr. *Hollis*, Mr. *Pym*, Mr. *Hambden*, Mr. *Strode*, and Sir *Arthur Haslerig*, had been accused by his Majesty of High-Treason;" it being not thought security and reputation enough, that the King had waved any further proceeding against them, except they left such a monument of their power, that, upon what occasion or provocation soever, no man should presume to obey the King in the like command: so that the same fourteenth of *February*, that was celebrated for the King's condescension to that Act for putting the Bishops out of the House of Peers, is famous likewise for those

three Unparalleled Acts of contempt upon the Sovereign power; the demand of the sole power over all the Militia of the Kingdom; the opening Letters directed to the Sacred person of the Queen; and the impeaching the Attorney General, for performing, what he took to be the duty of his place, by his Master's command. All which were very ill instances of that application and compliance his Majesty had reason to expect, and some men had promised him he should receive.

Though the King was resolved in no degree to consent to the Proposition for the Militia, yet he thought not the time seasonable for his positive Denial, the Queen retaining still her fears of being stopped in her Journey. Therefore, for the present, he returned Answer, "that his dearest Consort the Queen, and his dear Daughter the Princess *Mary*, being then upon their departure for *Holland*, he could not have so good time to consider of a particular answer for a matter of so great weight, as That was; and therefore, he would respite the same till his return:" the King intending to accompany the Queen to *Dover*, and as soon as she was embarked to return. They received this Answer with their usual impatience, and the next day sent Messengers to him, with that, which they called an Humble Petition; in which they told him, "that they had, with a great deal of grief, received his Answer to their just and necessary Petition concerning the Militia of the Kingdom; which, by a gracious Message formerly sent unto them, he had been pleased to promise should be put into

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The King's
Answer con-
cerning the
Militia.

Their Reply

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“ such hands, as his Parliament should approve of,
“ the extent of their power, and the time of their
“ continuance, being likewise declared; the which
“ being now done, and the persons Nominated, his
“ Majesty nevertheless reserved his resolution to a
“ longer, and a very uncertain time; which, they
“ said, was as unsatisfactory and destructive as an
“ absolute Denial. Therefore, they once again be-
“ sought him to take their desire into his Royal
“ thoughts, and to give them such an Answer, as
“ might raise in them a Confidence, that they
“ should not be exposed to the practices of those
“ who thirst after the ruin of this Kingdom, and
“ the kindling of that combustion in *England*, which
“ they had in so great a measure effected in *Ireland*;
“ from whence, as they were informed, they in-
“ tended to invade this Kingdom, with the assistance
“ of the Papists here. They said, nothing could
“ prevent those evils, nor enable them to suppress
“ the Rebellion in *Ireland*, and secure Themselves,
“ but the Instant granting of that their Petition;
“ which, they hoped, his Majesty would not deny
“ to those, who must, in the discharge of their duty
“ to his Majesty and the Common-wealth, represent
“ unto him, what they found so absolutely necessary
“ for the preservation of both; which the Laws of
“ God and man enjoined them to see put in exe-
“ cution, as several Counties by their daily Petitions
“ desired Them to do, and in some places begun
“ already to Do it of Themselves.” Notwith-
“ standing all that importunity, the King made no other
“ Answer than formerly he had done, “ that he would
“ give a full Answer at his return from *Dover*. “

In the mean time, the House of Commons, to whom every day Petitions are directed by the several Counties of *England*, professing all Allegiance to them, govern Absolutely, the Lords concurring, or rather submitting to whatsoever is proposed; in-
 somuch as when they had bailed the twelve Bishops, who were in the Tower for the Treason of their Protestation, which they did the next day after the Bill was passed for taking away their Votes, the House of Commons in great indignation expostulated with them, and caused them immediately again to be recommitted to the Tower. So they gave their private intimations to their Correspondents in the Counties, that they should make small entries upon the Militia; which was done in many places, the people chusing their Officers, and Listing themselves, and so Training and Exercising under the name of Volunteers; whereby they had opportunity to unite themselves, to know their Confederates, observe those who were of other opinions, and to provide Arms and Ammunition against they should have occasion. The Tower of *London* was at their Devotion, and *Hull* was their own; the Mayor of that place having been lately sent for and reprehended, for having said, "that they ought not to have Soldiers billeted upon them by the Petition of Right," and for refusing to submit that Town, which was His charge, to the Government of Mr. *Hotham*; and after a tedious and chargeable attendance, without being brought to a public hearing, he was persuaded to submit; and so was discharged.

Then they fell to raising of money under pretence

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The Lords
bail the 12
Bishops in the
Tower, and
the Commons
recommit
them.

Divers
Counties en-
ter upon ex-
ercising the
Power of the
Militia.

Money rais-
ed under

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pretence of
relieving
Ireland.

of the relief of *Ireland*, and, for that purpose, prepared, "an Act for the payment of four hundred thousand pounds to such persons as were Nominated by themselves, and to be disbursed and issued in such manner, and to such uses, as the two Houses should direct, which the King confirmed accordingly;" whereby they had a stock of credit to raise monies, whensoever they found themselves put to it: And this could not be prevented; for the King having committed the carrying on the War of *Ireland* to them, and they being engaged both for the payment of the arrears to the Officers of the Northern Army disbanded the Summer before, and of the three hundred thousand pounds to the Scots, his Majesty was necessitated to pass the Act with such General clauses, that it might be in their power to divert the money to other uses than those to which it was given; as it afterwards fell out.

The Queen
shipped for
Holland,
the King
returns
to Green-
wich, where
the Prince
meets him.

The Queen being shipped for *Holland*, his Majesty returned to *Greenwich*, whither he had sent to the Marquis of *Hertford* to bring the Prince of *Wales* from *Hampton-Court* to meet him; of which as soon as the Houses were advertised, they sent a Message to the King, who was upon his way from *Dover*, to desire him, "that the Prince might not be removed from *Hampton-Court*; for that they conceived his removal at That time, might be a cause to promote Jealousies and Fears in the hearts of his good Subjects, which they thought necessary to avoid;" and, at the same time, sent an express Order to the Marquis of *Hertford*, "to require him not to suffer the Prince to go to *Greenwich*;"

but

but his Lordship, chusing rather to obey the King's commands than Theirs, carried his Highness to his Father; of which the Houses no sooner were informed, than they sent some Members of both Houses to *Greenwich* "to bring the Prince from thence to *London*." But when they came thither, they found the King, whom they did not expect there; and so made no attempt to perform that Command. The reason of this extravagancy (besides their natural humor to affront the King, and this seeming care of the Prince was a Popular thing) was pretended to be an information they had received from a Member of the House.

There was one *Griffith*, a young Welsh-man, of no parts or reputation, but for eminent Licence; this youth had long, with great boldness, followed the Court, and pretended to preferment there; and so in the House had always opposed, as far as not consenting, all the undutiful Acts towards the King, and, upon this stock of merit, had pressed more confidently for a reward; and when the Queen was ready to take shipping at *Dover* for *Holland*, he barefaced importuned her to mediate to the King, "that he might be forthwith admitted of the Prince's Bed-Chamber; the which her Majesty refusing, he told his Companions, that since he could not render himself considerable by doing the King Service, he would be considerable by doing him Disservice:" and so made great haste to *London*, and openly in the House told them (the same day that the Prince was to go to *Greenwich*) "that if they were not exactly careful, they would speedily

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“ lose the Prince; for, to His knowledge, there was
“ a design and resolution immediately to carry him
“ into *France*.” From which senseless and ground-
less information, he was taken into their favor;
and, his Malice supplying the defect of other parts,
was thenceforth taken into trust, and used as their
Bravo to justify all their excesses in Taverns and
Ordinaries. And I saw Mr. *Hambden*, shortly after
this discovery, take him in his arms, telling him,
“ his Soul rejoiced to see, that God had put it
“ into his heart to take the right way.”

To their Message the King sent them word, “ that
“ to Their Fears and Jealousies he knew not what
“ Answer to give, not being able to imagine from
“ what grounds they proceeded; but if any infor-
“ mation had been given to them to cause those
“ apprehensions, he much desired the same might
“ be examined to the bottom; and then he hoped
“ that their Fears and Jealousies would be Hereafter
“ continued only with reference to his Majesty’s
“ rights and Honor.”

The King’s
further An-
swer con-
cerning the
Militia.

The Queen being gone, and the Prince come to
his Father at *Greenwich*, the King sent an Answer
to the two Houses concerning the Militia; “ that
“ having, with his best care and understanding,
“ perused and considered that, which had been sent
“ him from both Houses, for the ordering the
“ Militia to be made an Ordinance of Parliament
“ by the giving his Royal assent, as he could by
“ no means do it for many reasons, so he did not
“ conceive himself obliged to it by any Promise
“ made to them in his Answer to their former Pe-

" tition. He said, he found great cause to except BOOK
 " against the Preface, or Introduction to that Order; IV.
 " which confessed a most dangerous and desperate
 " design upon the House of Commons of late, sup-
 " posed to be an effect of the bloody Counsels of
 " Papists, and other ill affected persons, by which
 " many might understand (looking upon other
 " printed Papers to that purpose) his own coming
 " in Person to the House of Commons on the
 " fourth of *January*, which begot so unhappy a
 " misunderstanding between him and his People.
 " And for That, though he believed it, upon the
 " information since given him, to be a breach of
 " their Privileges, and had offered, and was ready,
 " to repair the same for the future, by any Act
 " should be desired from his Majesty; yet he must
 " declare, and require to be believed, that he had
 " no other design upon that House, or any Member
 " of it, than to require, as he did, the persons of
 " those five Gentlemen he had before accused of
 " High-Treason, and to declare that he meant to
 " proceed against them Legally, and Speedily; upon
 " which he believed that House would have deli-
 " vered them up.
 " He called the Almighty God to witness, that
 " he was so far from any intention, or thought of
 " force or violence, although that House had not
 " delivered them according to his demand, or in
 " any case whatsoever, that he gave those his Ser-
 " vants, and others, who then waited on his Ma-
 " jesty, express charge and command, that they
 " should give no offence unto any man; nay if they

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“ received any provocation or injury, that they
“ should bear it without return; and he neither saw,
“ nor knew, that any person of his train had any
“ other weapons, but his Pensioners and Guard,
“ those with which they Usually attend his person
“ to Parliament; and the other Gentlemen, Swords.
“ And therefore he doubted not, but the Parlia-
“ ment would be regardful of his Honor therein,
“ that he should not undergo any imputation by
“ the rash and indiscrete expressions of any young
“ men then in his train, or by any desperate words
“ uttered by others, who might mingle with them
“ without His consent or approbation.

“ For the persons Nominatad to be the Lieute-
“ nants of the severall Counties of *England* and *Wales*,
“ he said he was contented to allow that recom-
“ mendation; only concerning the City of *London*,
“ and such other Corporations as by ancient Char-
“ ters had granted to them the power of the Militia,
“ he did not conceive that it could stand with Justice
“ or Policy to alter their Government in that par-
“ ticular. And he was willing forthwith to grant
“ to every one of them, that of *London* and other
“ Corporations excepted, such Commissions as he
“ had granted this Parliament to some Lords Lieute-
“ nants by their advice But if that power were not
“ thought enough, but that more should be thought
“ fit to be granted to those persons named, than,
“ by the Law, is in the Crown itself, he said, he
“ thought it reasonable that the same should be by
“ some Law first vested in Him, with power to
“ transfer it to those persons; which he would wil-

“lingly do: and whatever that power should be, B O O K
 “to avoid all future doubts and questions, he de- IV.
 “sired it might be digested into an Act of Parlia-
 “ment, rather than an Ordinance; so that all his
 “Subjects might thereby particularly know, both
 “what they were to do, and what they were to
 “suffer for their neglect; that so there might be the
 “least latitude for them to suffer under any Arbitrary
 “power whatsoever.

“To the time desired for the Continuance of the
 “powers to be granted, he said, he could not
 “consent to divest himself of the Just Power, which
 “God, and the Laws of the Kingdom, had placed
 “in him for the defence of his People, and to put
 “it into the hands of others for any Indefinite time.
 “And since the ground of their request to him was
 “to secure their present Fears and Jealousies, that
 “they might with safety apply themselves to his
 “Message of the 20th of *January*, he hoped that
 “his Grace to them since that time, in yielding
 “to so many of their desires, and in agreeing to
 “the persons now recommended to him, and the
 “power before expressed to be placed in them,
 “would wholly dispel those Fears and Jealousies;
 “and he assured them, that as he had applied this
 “Unusual remedy to their Doubts; so, if there
 “should be cause, he would continue the same to
 “such time, as should be agreeable to the same care
 “he now expressed towards them.

“He said, he was so far from receding from any
 “thing he had promised, or intended to grant in
 “his former Answer, that he had hereby consented

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“ to all that had been then asked of him by that
 “ Petition, concerning the Militia of the Kingdom,
 “ except that of *London* and the other Corporations;
 “ which was, to put the same into the hands of
 “ such persons, as should be recommended to him
 “ by both Houses of Parliament. And he doubted
 “ not but they, upon well weighing the particulars
 “ of that his Answer, would find the same more
 “ satisfactory to their ends, and the Peace and
 “ Welfare of all his good Subjects, than the way
 “ proposed by that intended Ordinance; to which,
 “ for those reasons, he could not consent.

“ And whereas he observed by their late Petition,
 “ that in some places, some persons begun already
 “ to intermeddle of Themselves with the Militia,
 “ he said, he expected his Parliament should ex-
 “ mine the particulars thereof, it being a matter of
 “ high concernment, and very great consequence.
 “ And he required, that if it should appear to them,
 “ that any person whosoever had presumed to com-
 “ mand the Militia without lawful Authority, they
 “ might be proceeded against according to Law.”

Votes of both
 Houses upon
 it.

It seems this was not the Answer they promised
 themselves; for, at the publishing it, they were
 marvellously transported, and immediately Voted,
 both Houses concurring in it, “ that those who ad-
 “ vised his Majesty to give that Answer, were Ene-
 “ mies to the State, and mischievous projectors a-
 “ gainst the defence of the Kingdom: That that
 “ denial was of that dangerous Consequence, that
 “ if his Majesty should persist in it, it would hazard
 “ the Peace and Safety of all his Kingdoms, unless

“ some speedy Remedy were applied by the Wi-
 “ dom, and Authority of both Houses of Parliament:
 “ And that such parts of the Kingdom, as had al-
 “ ready put themselves into a posture of Defence
 “ against the common danger, had done nothing
 “ but what was justifiable, and was approved by
 “ both Houses.” And having caused these, and such
 other Resolutions to be immediately published in
 Print, that their Friends abroad might know what
 they had to do, they sent a Committee of both Houses
 to the King at *Theobald's* with another Petition; in
 which they told him, “ that their just apprehensions
 “ of Sorrow and Fear, in respect of the public dan-
 “ gers and miseries like to fall upon his Majesty and
 “ the Kingdom, were much increased upon the
 “ receipt of his unexpected denial of their most
 “ Humble and Necessary Petition concerning the
 “ Militia of the Kingdom; and that they were es-
 “ pecially grieved, that wicked and mischievous
 “ Counsellors should still have that Power with him,
 “ as in that time of approaching and imminent Ruin,
 “ he should rather incline to that, which was apt
 “ to further the accomplishment of the desires
 “ of the most malignant Enemies of God's true Re-
 “ ligion, and of the Peace and Safety of himself,
 “ and his Kingdom, than to the Dutiful and Faith-
 “ ful Counsel of his Parliament. Wherefore, they
 “ said, they were enforced in all Humility to protest,
 “ that, if his Majesty should persist in that denial,
 “ the dangers and distempers of the Kingdom were
 “ such, as would endure no longer delay: but un-
 “ less he should be graciously pleased to assure them

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A Petition
 of both Hou-
 ses to the
 King at
 Theobald's.

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“ by those Messengers, that he would speedily apply his Royal Assent to the satisfaction of their former desires, they should be enforced, for the Safety of his Majesty and his Kingdoms, to dispose of the Militia by the Authority of both Houses, in such a manner as had been propounded to him; and they resolved to do it accordingly.

“ They likewise most Humbly besought his Majesty to believe, that the dangerous and desperate design upon the House of Commons, mentioned in their Preamble, was not inserted with any intention to cast the least aspersion upon his Majesty; but therein they reflected upon that Malignant Party, of whose bloody and malicious practices they had so often experience, and from which they could never be secure, unless his Majesty would be pleased to put from him those wicked and unfaithful Counsellors, who interposed their own corrupt and malicious designs betwixt his Majesty's goodness and wisdom, and the prosperity and contentment of himself, and of his People: And that for the despatch of the great Affairs of the Kingdom, the Safety of his Person, the Protection and Comfort of his Subjects, he would be pleased to continue his abode near to *London*, and the Parliament; and not to withdraw himself to any the remoter parts, which if he should do, must needs be a cause of great danger and distraction.

“ That He would likewise be graciously pleased to continue the Prince's Highness in those parts at *St. James's*, or any other of his Houses near

“ *London*; whereby the designs, which the Enemies of the Religion, and Peace of the Kingdom might have upon his Person, and the Jealousies and Fears of his People, might be prevented.

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“ And they besought him to be informed by them that, by the Laws of the Kingdom, the power of raising, ordering, and disposing of the Militia within any City, Town, or other place, could not be granted to any Corporation by Charter, or otherwise, without the Authority and Consent of Parliament: And that those parts of the Kingdom, which had put themselves in a posture of Defence against the Common danger, had therein done nothing but according to the Declaration and Direction of both Houses, and what was justifiable by the Laws of the Kingdom. All which their most humble counsel and desires they prayed him to accept, as the effect of that Duty and Allegiance, which they owed unto him, and which would not suffer them to admit of any thoughts, intentions, or endeavours, but such as were necessary and advantageous for his Greatness, and Honor, and the Safety, and Prosperity of the Kingdom, according to that Trust and Power which the Laws had reposed in them.”

As soon as the Petition was read, the King told them that presented it, “ that he was so much amazed at their Message, that he knew not what to Answer. He said they spoke of Jealousies, and Fears, but he desired them to lay their hands to their hearts, and ask themselves, whether He might not likewise be disturbed with Fears and

The King's
present An-
swer.

B O O K " Jealousies ? and if so , he assured them , that Mes-
IV. " sage had nothing lessened them.

" For the Militia , he said , he had thought so
" much of it before he sent his Answer , and was so
" well assured that the Answer was agreeable to
" what , in justice or reason , They could ask , or
" He in honor grant , that He should not alter it in
" any point.

" For his Residence near them , he said , he wished
" it might be so safe and honorable , that he had no
" cause to absent himself from *White-Hall* : He bid
" them ask themselves , whether he had not ?" For
his Son , He said , " he should take that care of him ,
" which should justify him to God , as a Father ;
" and to his Dominions , as a King. To conclude ,
" he assured them upon his Honor , that he had no
" thought but of Peace , and Justice to his People ;
" which he would by all fair means seek to preserve
" and maintain . relying upon the Goodness and
" Providence of God for the preservation of himself ,
" and his Rights."

This , being suddenly , and with more than usual
quickness spoken by the King , much appalled them ;
but they were too far engaged to retire ; and there-
fore , as soon as it was reported to the Houses , they
resolved , upon debate , " that the Kingdom should
The Resolu-
tion of both
Houses upon it " be forthwith put into a posture of Defence , by
" authority of both Houses , in such a way as had
" been formerly agreed upon by both Houses ; and
" that a Declaration should be speedily sent unto the
" King , containing the causes of their just Fears and
" Jealousies , and to make it evident that any that

“ were entertained against Them were groundless ;” B O O K
 Ordering at the same time, “ that all the Lords IV.
 “ Lieutenants of any Counties in *England*, who had
 “ been formerly so constituted by the King by his
 “ Commissions under the great Seal of *England*,
 “ should immediately bring in those Commissions
 “ to be cancelled as illegal :” Albeit some such Com-
 missions had been granted, upon their own desire,
 since the beginning of the Parliament, as particularly
 to the Earl of *Essex* to be Lord Lieutenant of *York-*
shire, and to the Earl of *Salisbury* for *Dorsetshire*.

Then both Houses sent to the Earl of *Northumber-* They send to
land, being High-Admiral of *England*, “ that they the Earl of
 “ had received advertisement of extraordinary pre- Northumber-
 parations made, by the neighbouring Princes, land to pro-
 “ both by Land and Sea ; by which an apprehension vide a Fleet.
 “ was raised in both Houses, that the public Honor,
 “ Peace, and Safety of his Majesty, and his Kingdom,
 “ could not be secured, unless a timely course was
 “ taken for the putting the Kingdom into a condition
 “ of Defence at Sea, as well as at Land : and they
 “ did therefore Order him forthwith to give effectual
 “ direction that all the Ships belonging to his
 “ Majesty’s Navy, and fit for Service, and not
 “ already abroad, or designed for the Summer-Fleet,
 “ should be Rigged, and put in such a readiness, as
 “ that they might be soon fitted for the Sea : and
 “ that his Lordship would also make known to the
 “ Masters, and Owners of other Ships, in any of
 “ the Harbours of the Kingdom, as might be of use
 “ for the Public Defence, that it would be an ac-
 “ ceptable Service, to the King and Parliament, if

BOOK IV. " They would likewise cause their Ships to be
 " Rigged, and so far put into a readines, as they
 " might, at a short warning, likewise be set to Sea
 " upon any emergent occasion; which would be a
 " means of great Security to his Majesty and his
 " Dominions " To which the Earl returned an
 Answer full of Submission and Obedience.

Their Decla-
 ration to his
 Majesty.

I Have been assured from Persons of very good
 Credit, and conversant with those Councils, that
 they had in deliberation and debate to send, and take
 the Prince from his Father at *Theobald's* by force;
 but that design was quickly laid aside, when they
 heard that the King was removed from thence to
New-Market, and was like to make a further progress.
 So they used all possible expedition in preparing their
 Declaration, which they directed to his Majesty,
 and in which they told him, " that although that
 " Answer. he had given to their Petition at
 " *Theobald's*, did give just cause of sorrow to them;
 " yet it was not without some mixture of Confidence
 " and Hope, considering those expressions proceeded
 " from the misapprehensions of their Actions and In-
 " tentions; which having no ground of truth or
 " reality, might, by his Justice and Wisdom, be
 " removed, when he should be fully informed, that
 " those Fears and Jealousies of theirs, which his
 " Majesty thought to be causeless, and without any
 " just ground, did necessarily and clearly arise from
 " those dangers and distempers, into which the mis-
 " chievous and evil Councils about him had brought
 " the Kingdom. And that those other Fears and
 " Jealousies, by which his Favor, his Royal Presence,

“ and Confidence, had been withdrawn from his
 “ Parliament, had no foundation or subsistence in
 “ any Action, Intention, or miscarriage of Theirs;
 “ but were merely grounded upon the falshood and
 “ malice of those who, for the supporting and fomen-
 “ ting their own wicked designs against the Religion,
 “ and Peace of the Kingdom, did seek to deprive
 “ his Majesty of the strength, and the affection of his
 “ People; and Them of his Grace and Protection;
 “ and thereby, to subject both his Person, and the
 “ whole Kingdom, to Ruin and Destruction.

“ That to satisfy his Majesty’s Judgment and Con-
 “ science in both those Points, they desired to make
 “ a free; and clear Declaration of the causes of their
 “ Fears and Jealousies, in some particulars.

1. “ That the design of altering Religion, in this
 “ and his other Kingdoms, had been potently carried
 “ on, by those in greatest Authority about him, for
 “ divers Years together: and that the Queen’s Agent
 “ at *Rome*, and the Pope’s Agent, or Nuntio, Here,
 “ were not only evidences of that design, but had
 “ been great Actors in it.

2. “ That the War with *Scotland* was procured
 “ to make way for that intent, and chiefly fo-
 “ mented by the Papists, and others Popishly
 “ affected, whereof they had many evidences,
 “ especially their free and general contribution to it.

3. “ That the Rebellion in *Ireland* was framed,
 “ and contrived here in *England*, and that the *English*
 “ Papists should have risen about the same time, they
 “ had several testimonies and advertisements from
 “ *Ireland*; and that it was a common Speech amongst

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“ the Rebels (with, which they said, other evidences did Concur, as the information of a Minister who came out of *Ireland*; the Letter of one *Tristram Whetcomb* in *Ireland* to his Brother in *England*, and many others) that they would recover unto his Majesty his Royal Prerogative, wrested from him by the Puritan Faction in the House of Parliament in *England*, and would maintain Episcopal jurisdiction, and the lawfulness thereof; which they said, were the two quarrels, upon which his late Army in the North should have been incensed against them.

4. “ The cause they had to doubt that the late design, stiled the Queen’s Pious Intention, was for the alteration of Religion in this Kingdom, for success whereof the Pope’s Nuntio (the Count *Rozetti*) enjoined Fasting and Praying to be observed every week by the *English* Papists; which, they said, appeared to them by one of the original Letters directed by him to a Priest in *Lancashire*.

5. “ The boldness of the *Irish* Rebels in affirming they do nothing but by Authority from the King; that they call themselves the Queen’s Army; that the prey and booty they take from the *English*, they mark with the Queen’s mark; that their purpose was to come into *England*, when their business was done in *Ireland*; and sundry other things of that kind, which, they said, were proved by one *Oconelly*, and others; but especially in the forementioned Letter from *Tristram Whetcomb*, wherein there was this passage, that many other Speeches they utter, concerning Religion, and our Court of *England*, which he dares not commit to paper.

6. “ The many attempts to provoke his late Army,

“ and the Army of the Scots , and to raise a Faction
 “ in the City of *London*, and other parts of the King-
 “ dom That those who had been Actors in these
 “ businesses, had their dependance, their counte-
 “ nance, and encouragement, from the Court ;
 “ witness the Treason, whereof Mr. *Jermyn*, and
 “ others, stood accused ; who, they said, was
 “ transported beyond Seas by Warrant under his
 “ Majesty’s own hand, after he had given assurance
 “ to his Parliament, that he had laid a strict com-
 “ mand upon his Servants, that none of them should
 “ depart from Court. And that dangerous Petition
 “ delivered to Captain *Leg* by his Majesty’s own
 “ hand, accompanied with a direction Signed
 “ with *C. R.*

7. “ The false and scandalous accusation against
 “ the Lord *Kimbolton*, and the five Members of the
 “ House of Commons, tendered to the Parliament
 “ by his own Command, and endeavoured to be
 “ justified in the City by his own presence and per-
 “ suasion, and to be put in execution upon their
 “ persons by his demand of them in the House of
 “ Commons, in so terrible and violent a manner, as
 “ far exceeded all former breaches of Privileges of
 “ Parliament acted by his Majesty, or any of his
 “ Predecessors : and they said, whatever his own
 “ intentions were divers bloody and desperate per-
 “ sons, that attended him, discovered their affec-
 “ tions, and resolutions, to have massacred and
 “ destroyed the Members of that House, if the
 “ absence of those persons accused had not, by
 “ God’s providence, stopped the giving that word,

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“ which they expected for the setting them upon that
 “ barbarous and bloody Act: The lifting of Officers,
 “ and Soldiers, for a Guard at *White-Hall*, and such
 “ other particulars.

8. “ That, after a Vote had passed in the House of
 “ Commons, declaring that the Lord *Digby* had ap-
 “ peared in a Warlike manner at *Kingston upon Tha-*
 “ *mes*, to the terror and affright of his Majesty’s
 “ good Subjects, and disturbance of the public Peace
 “ of the Kingdom, he should nevertheless be in
 “ that credit with his Majesty, as to be sent away
 “ by his Majesty’s own Warrant to Sir *J. Pennington*
 “ to land him beyond Seas: from whence he vented
 “ his own Traiterous conceptions, that his Ma-
 “ jesty should declare himself, and retire to a place
 “ of strength; as if he could not be safe amongst
 “ his People. Which false and malicious counsel,
 “ and advice, they said, they had great cause to
 “ doubt, made too deep an impression upon his
 “ Majesty, considering the course he was pleased
 “ to take of absenting himself from his Parliament,
 “ and carrying the Prince with him; which seemed
 “ to express a purpose in his Majesty to keep himself
 “ in a readiness for the acting of it.

9. “ The many advertisements they had from *Rome*,
 “ *Paris*, *Venice*, and other parts, that they still
 “ expected that his Majesty had some great design
 “ in hand, for the altering of Religion, and the
 “ breaking the neck of his Parliament. That the
 “ Pope’s Nuntio had solicited the Kings of *France*,
 “ and *Spain*, to lend his Majesty four thousand Men
 “ a-piece, to help to maintain his Royalty against
 “ the

“ the Parliament. And they said; as that Foreign B O O K
 “ Force was the most pernicious, and Malignant IV.
 “ design of all the rest; so they hoped it was, and
 “ should always be, farthest from his Majesty’s
 “ thoughts; because no man would believe he would
 “ give up his People, and Kingdom, to be spoiled
 “ by Strangers; if he did not likewise intend to
 “ change both his own Profession in Religion, and
 “ the Public profession of the Kingdom, that so he
 “ might be still more assured of those Foreign States
 “ of the Popish Religion for their future Support,
 “ and Defence.

“ These, they said, were some of the grounds
 “ of their Fears and Jealousies, which had made
 “ them so earnestly implore his Royal Authority,
 “ and Protection, for their Defence and Security,
 “ in all the ways of Humility and Submission; which
 “ being denied by his Majesty, seduced by evil
 “ Counsel, they did, with sorrow for the great and
 “ unavoidable misery and danger, which was there-
 “ by like to fall upon his own Person, and his
 “ Kingdoms, apply themselves to the use of that
 “ Power for the Security and Defence of both,
 “ which, by the fundamental Laws and Constitu-
 “ tions of the Kingdom, resided in them; yet still
 “ resolving to keep themselves within the bounds of
 “ Faithfulness, and Allegiance to his Sacred Person,
 “ and Crown.

“ To the Fears and Jealousies expressed by his
 “ Majesty, when he said, that for his Residence
 “ near the Parliament, he wished it might be so safe
 “ and honorable, that he had no cause to absent

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“ himself from *White-Hall*: That, they said, they took as the greatest breach of Privilege that could be offered; as the heaviest misery to Himself, and imputation upon Them, that could be imagined, and the most mischievous effect of evil Counsels; it rooted up the strongest Foundation of the safety, and honor, the Crown afforded; it seemed as much as might be, they said, to cast upon the Parliament such a Charge, as was inconsistent with the nature of that great Council, being the Body, of which his Majesty was the Head: it struck at the very Being both of the King and Parliament, depriving his Majesty, in his own apprehension, of Their Fidelity, and Them of His Protection; which are the natural bonds and supports of Government, and Subjection.

“ They said, they had, according to his Majesty’s desire, laid their hands upon their hearts; they had asked themselves in the strictest examination of their Consciences; they had searched their affections, their thoughts, considered their actions; and they found none, that could give his Majesty any just occasion to absent himself from *White-Hall*, and his Parliament; but that he might, with more honor and safety, continue There, than in any other place. They said, his Majesty laid a General Tax upon them: if he would be graciously pleased to let them know the Particulars, they should give a clear and satisfactory Answer. But, they said, they could have no hope of ever giving his Majesty satisfaction, when those Particulars, which he had been made

" believe were true, yet, being produced, and
 " made known to them, appeared to be false; and
 " his Majesty notwithstanding would neither punish,
 " nor produce the Authors, but go on to contract
 " new Fears and Jealousies, upon General and Un-
 " certain grounds; affording them no means, or
 " possibility of Particular Answer to the clearing of
 " themselves, of which they gave him these Instan-
 " ces. 1. The Speeches pretended to be spoken at
 " *Kensington* concerning the Queen, which had been
 " denied and disavowed; yet his Majesty had not
 " named the Authors. 2. The Charge and Accu-
 " sation of the Lord *Kimbolton*, and the five Mem-
 " bers, who refused no Trial or Examination,
 " which might stand with the Privileges of Parlia-
 " ment; yet no Authors, no Witnesses, were pro-
 " duced, against whom they might have repara-
 " tion for the great injury, and infamy cast upon
 " them.

" They besought his Majesty to consider in what
 " State he was, how easy and fair a way he had to
 " Happiness, Honor, Greatness, and Plenty, and
 " Security, if he would join with his Parliament,
 " and his faithful Subjects, in the defence of the
 " Religion, and the Public Good of the Kingdom.
 " That, they said, was all they expected from him,
 " and for that, they would return to him their Lives,
 " Fortunes, and utmost endeavours to support his
 " Majesty, his just Sovereignty, and Power over
 " them. But, they said, it was not Words that
 " could secure them in those their Humble desires;
 " they could not but too well and sorrowfully

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“ remember, what gracious Messages they had from
 “ him the last Summer; when, with His privity,
 “ the bringing up of the Army was in agitation:
 “ They could not but with the like affections recal
 “ to their minds, how, not two days before he
 “ gave direction for the aforementioned Accusation,
 “ and his own Coming to the Commons House, that
 “ House received from him a Gracious Message,
 “ that he would always have care of Their Privile-
 “ ges, as of his Own Prerogative; and of the safety
 “ of Their Persons, as of his Own Children.

“ They said, that which they expected, and which
 “ would give them assurance that he had no thought
 “ but of Peace, and Justice to his People, must be
 “ some real effect of his Goodness to them, in grant-
 “ ing those things, which the present necessity of
 “ the Kingdom did inforce them to desire. And in
 “ the first place, that he would be Graciously pleased
 “ to put from him those wicked, and mischievous
 “ Counsellors, which had caused all those dangers,
 “ and distractions; and to continue his own Resi-
 “ dence, and the Prince’s, near *London*, and the
 “ Parliament, which, they hoped, would be a
 “ happy beginning of Contentment, and Confidence
 “ between Him and his People; and be followed
 “ with many succeeding Blessings of Honor and
 “ Greatness to his Majesty, and of Security and
 “ Prosperity to Them.”

In the debate of this Declaration, the like whereof
 had never before been heard of in Parliament, in
 which they took his Majesty’s doubt of his safety at
White-Hall so heavily, that, they said, “ it seemed

“ to cast such a charge upon the Parliament, as was E O O K
 “ inconsistent with the nature of that great Council;” IV.
 (so apprehensive they were of the least suspicion of want of freedom) the Prevalent Party carried themselves with that pride, and impetuosity, that they would endure no opposition or dispute; insomuch as Sir *Ralph Hopton* (who indeed was very grievous to them for not complying with them) for objecting against some sharp expressions in the Declaration (before it passed the House, and when the Question was, whether it should pass) as being too distant from that reverence, which ought to be used to the King; and for saying, upon a Clause, in which they mentioned their General Intelligence from *Rome, Venice, Paris*, and other places, of some design the King had upon Religion, and the Parliament, from whence they seemed to conclude that the King would change his Religion, “ That they seemed to ground
 “ an opinion of the King’s Apostacy upon a less
 “ evidence, than would serve to hang a fellow for
 “ stealing a Horse,” was committed to the Tower of *London*, “ for laying an imputation upon that
 “ Committee, which had drawn up the Declaration.”
 Notwithstanding which, after they had imprisoned him, they thought fit to make That expression less gross, and positive; though as it is set down above (in which words it passed, and was delivered to the King) it was thought by standers by to be very disagreeable to the Gravity of a wise Court, and to the Duty of Subjects.

But in this particular, in oppressing all those who were of different opinions from them, their carriage

B O O K was so notorious and terrible, that Spies were set
IV. upon, and inquiries made upon all private, light, casual discourses, which fell from those who were not Gracious to them: As Mr. *Trelawny*, a Member of the House of Commons, and a Merchant of great reputation, was expelled the House, and committed to Prison, for having said, in a Private discourse in the City, to a Friend, "that the House could not appoint a Guard for themselves without the King's consent, under pain of High-Treason:" Which was proved by a fellow, who pretended to overhear him; when the person himself, with whom the conference was held, declared, "that he said, it Might be imputed to them for High Treason:" and it was confessed on all parts, that the words were spoken long before the discovery, and some days before the House had Resolved, "that they would have a Guard." And afterwards, upon the old stock of their dislike, when the War begun to break out, they again imprisoned this honest Gentleman; seized upon all his Estate, which was very good; and suffered him to die in Prison for want of ordinary relief, and refreshment.

And in this very time, we speak of, and in the very business of the Militia, when every day very great multitudes of Petitions from most of the Counties of *England*, and from the City of *London*, were presented to both Houses, to desire they might be put into a posture of defence; and that they would cause the Ordinance for the Militia to be speedily executed, which was alledged to be an instance of the people's desire throughout the Kingdom, and

the chief ground of their proceeding; the most substantial Citizens of *London* both in reputation, and Estate, finding that the Militia of that City, with which by their Charter, and Constant Practice, the Lord Mayor had been always intrusted, was now with a most extravagant power to be committed to a Number of Factionous persons of the City, part of whom consisted of men of no fortune, or reputation, resolved to Petition both Houses "not to alter the " original constitution, and right of their City:" to that purpose, a Petition was signed by some hundreds, and very probably would in few days have been subscribed by all, or most of the substantial Citizens of *London*. The House had notice of this Petition, which they called another Conspiracy and Plot against the Parliament, and immediately employed a Member of their own to procure a sight of it; who, under a trust of redelivering it, got it into his hands, and brought it to the House of Commons; upon which, some principal Citizens, who had subscribed it, were examined, and committed to Prison, and a direction given, that a Charge, and Impeachment should be prepared against the Recorder of *London*, who, they heard, had been of Council in the drawing up, and preparing that Petition, and, they knew, was opposite to their Tumultuary proceedings. So when the chief Gentlemen of *Oxfordshire* heard, that a Petition had been delivered to the House of Commons in their Name, and the name of that County, against the established Government of the Church, and for the exercise of the Militia, they assembled together to draw up

B O O K a Petition, disavowing the former, and to desire;
IV, "that the settled Laws might be observed;" of which the Lord *Say* having notice, he procured the chief Gentlemen to be sent for as Delinquents, and so suppressed that Address: And this was the measure of their Justice in many other particulars of the same nature, receiving and cherishing all mutinous; and seditious Petitions, and discountenancing such as besought the continuance, and vindication, of the so long celebrated and happy Government in Church and State; the prime leaders of that Faction not blushing, in public debates in the House, to aver "that no man ought to Petition for the Government established by Law, because he had already his Wish; but they that desired an Alteration, could not otherwise have their desires known; and therefore were to be countenanced."

They likewise present the King with Reasons for his continuance near the Parliament.

The Committee, which presented the Declaration to the King at *New-Market*, presented likewise additional reasons, as they called them, for his Majesty's return, and continuance near the Parliament; as a matter, in their apprehension, of so great necessity, and importance towards the preservation of his Person, and his Kingdom: and they said,

"They could not think they discharged their duties in the single expression of their desire, unless they added some further reasons to back it with. 1. his Majesty's absence would cause men to believe, that it was out of design to discourage the undertakers, and hinder the other provisions for raising money for the defence of *Ireland*. 2. It would very much hearten the Rebels There, and

" disaffected persons in This Kingdom, as being an
 " evidence, and effect of the Jealousy and Division
 " between his Majesty, and his people. 3. That it
 " would much weaken, and withdraw the Affec-
 " tion of the Subject from his Majesty; without
 " which, a Prince is deprived of his chiefest strength,
 " and lustre, and left naked to the greatest dangers
 " and miseries, that can be imagined. 4. That it
 " would invite, and encourage the Enemies of our
 " Religion and the State in foreign parts, to the
 " attempting, and acting of their evil designs, and
 " intentions towards us. 5. That it did cause a
 " great interruption in the proceedings of Parlia-
 " ment. Those considerations, they said, threatened
 " so great dangers to his Person, and to all his
 " Dominions, that, as his Great Council, they held
 " it necessary to represent to him this their faithful
 " Advice, that so, whatsoever should follow,
 " They might be excused before God, and Man."

Whilst that Declaration was reading, his Majesty
 expressed some passion upon particular expressions;
 and once, when that passage was read, that takes
 notice " of the transportation of Mr. *Jermyn* by his
 " Majesty's own Warrant, after he had given his
 " word, that he had commanded that none of his
 " Servants should depart from Court," interrupted
 the Earl of *Holland*, who read it, and said, " that's
 " False;" and when he was told, " it related not to
 " the Date, but the Execution of the Warrant," his
 Majesty said, " It might have been better expressed
 " then: It is a high thing to tax a King with breach
 " of Promise." But after both the Declarations,

BOOK and Reasons were read, the King, after a short pause, said to them :

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His Majesty's Answer to both.

“ I am confident that you expect not I should give
 “ you a speedy Answer to this strange, and unexpected Declaration; and I am sorry, in the distraction of this Kingdom, you should think This way of Address to be more convenient, than That propounded, by my Message of the twentieth of *January* last, to both Houses. As concerning the grounds of your Fears and Jealousies, I will take time to Answer them particularly; and doubt not but I shall do it to the satisfaction of all the world. God in His good time will, I hope, discover the secrets and bottoms of all Plots, and Treasons, and Then I shall stand right in the eyes of all my People. In the mean time I must tell you, that I rather expected a vindication for the imputation laid upon me in Mr. *Pym's* Speech, than that any more General rumors, and discourses, should get credit with you. For My fears and Doubts, I did not think they should have been thought so trivial and groundless, whilst so many seditious Pamphlets, and Sermons, are looked upon, and so great Tumults remembered, unpunished, and uninquired into. I still confess my Fears, and call God to witness, that they are greater for the true Protestant profession, my People and Laws, than for my own rights, or safety, though I must tell you, I conceive none of these are free from danger. What would you have? Have I violated your Laws? Have I denied to pass any one Bill for the ease, and security of my Subjects? I do not

"ask you what You have done for Me. Are my People transported with Fears and Apprehensions? B O O K
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"I have offered as free, and general a Pardon as yourselves can devise. There is a Judgment from Heaven upon this Nation, if these distractions continue. God so deal with Me, and Mine, as all my thoughts, and intentions, are upright for the maintenance of the true Protestant profession, and for the observation and preservation of the Laws of the Land: and I hope God will bless, and assist those Laws for my preservation."

This being suddenly, and with some vehemence, spoken by his Majesty, and he having taken further time to Answer the Declaration, and the Reasons, the Committee besought him, "since they were to carry back with them no other Answer, that his Majesty would vouchsafe to give them what he had spoken, in writing;" which, the next morning, he did: And then the Earl of *Holland* again desired him, "that he would reside nearer his Parliament;" whereunto the King briefly Answered, "I would you had given me cause; but I am sure this Declaration is not the way to it." Then being asked by the Earl of *Pembroke*, whether the Militia might not be granted, as was desired by the Parliament, for a time? He Answered, "By God not for an hour. You have asked that of me in this, was never asked of a King, and with which I will not trust my Wife, and Children. He told them, he could not have believed the Parliament would have sent him such a Declaration, if he had not seen it brought by such Persons: and said he was

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“ Sorry for the Parliament, but Glad he had it; for
 “ by that he doubted not to satisfy his People. He
 “ said they spoke of ill Councils; but he was con-
 “ fident They had worse Information, than he had
 “ Councils. He told them, the business of *Ireland*
 “ would never be done in the way they were in,
 “ four hundred would never do that work; it must
 “ be put into the hands of One: and, he said, if
 “ He were trusted with it, he would pawn his Head
 “ to end that work.”

As soon as the Committee returned and reported, what Answer they had received, and in what disposition and temper they found, and left the King; it was Ordered, that their Declaration; which they had sent to him, should be speedily printed, and carefully dispersed throughout the Kingdom, that the People might see upon what terms they stood; and all other possible courses were taken to poison the hearts, and affections of the Subjects, and to suppress all those, who, in any degree, seemed to dislike their high proceedings. Above all, care was taken to place such Preachers, and Lecturers, in the most populous Towns and Parishes, as were well known to Abhor the present Government, and temperature of Church and State; many of whom were recommended, and positively enjoined, and imposed upon Parishes, by the House of Commons; and others, by such Factious Members, whose reputation was most current: and all Canonical Clergy-men, and Orthodox Divines, were, with equal industry, discountenanced, imprisoned, or forced to a long attendance upon Committees, or

the House (which was worse than Imprisonment) under the notion and imputation of Scandalous Ministers. Which charge and reproach reached all men whose Inclinations they liked not, or whose Opinions they suspected. And that they might be sure to be as strong and absolute at Sea, as at Land, they appointed the Lord Admiral to send the Names of all those Captains of Ships, who were to attend the Fleet for that Summer-Service, to them, to the end they might have such men, in whom they might Confide; which his Lordship most punctually observed. By which they helped to free him of those Officers whom he could not plausibly have discharged; and struck out the names of those, whose Affections, or Relations they thought themselves not secure in.

The King thought it now time, according to his former resolution, which he had not communicated to many, to remove to *York*, which was a place of good reception, and conveniency, for those who were willing to attend him; and to the end that there might be public notice of it, he sent from *Huntington*, when he was upon his Journey, a Message to both Houses: "That, being then in his re-
" move to his City of *York*, where he intended to
" make his residence for some time, he thought fit
" to send that Message to them, and very earnestly
" to desire them, that they would use all possible
" industry in expediting the business of *Ireland*; in
" which they should find so cheerful a concurrence
" from his Majesty, that no inconvenience should
" happen to that Service by his absence, he having

BOOK
IV.

The King's
Message to
both Houses
in his way to
York.

BOOK

IV.

“ all that passion for the reducing that Kingdom,
“ which he had expressed in his former Messages,
“ and being, by Words, unable to manifest more
“ affection to it, than he had endeavoured to do by
“ those Messages: having likewise done all such
“ Acts, as he had been moved unto by his Parlia-
“ ment. Therefore, if the misfortunes and calami-
“ ties of his poor Protestant Subjects there should
“ grow upon them (though he should be deeply
“ concerned in, and sensible of their sufferings) he
“ said, he should wash his hands before the world
“ from the least imputation of slackness in that most
“ necessary, and pious work.

“ And, that he might leave no way unattempted,
“ which might beget a good understanding between
“ him and his Parliament, he said, he thought it
“ necessary to declare, that, as He had been so ten-
“ der of the Privileges of Parliament, that he had
“ been ready and forward to retract any Act of his
“ own, which he had been informed had trespassed
“ upon Their Privileges; so he expected an equal
“ tenderness in Them of His known Prerogatives,
“ which are the unquestionable Privileges of the
“ Kingdom; amongst which, he was assured, it
“ was a Fundamental one, that his Subjects could
“ not be obliged to obey any Act, Order, or In-
“ junction, to which He had not given his Consent.

“ And, therefore, he thought it necessary to pub-
“ lish, that he expected, and thereby required,
“ obedience from all his loving Subjects to the Laws
“ established; and that they presumed not upon
“ any pretence of Order, or Ordinance, to which

“ his Majesty was no Party, concerning the Militia, B O O K,
 “ or any other thing, to do, or execute what was IV.
 “ not warrantable by those Laws; he being resolved
 “ to keep the Laws Himself, and to require obedience
 “ to them from all his Subjects.

“ He once more recommended unto them the
 “ substance of his Message of the twentieth of *Ja-*
 “ *nuary* last; that they would compose, and digest
 “ with all speed, such Acts as they should think fit
 “ for the present, and future establishment of their
 “ Privileges, the free and quiet enjoying their Esta-
 “ tes and fortunes, the liberties of their persons, the
 “ security of the true Religion Then professed in the
 “ Church of *England*, the maintaining his Regal and
 “ Just Authority, and settling his Revenue; he being
 “ most desirous to take all fitting and just ways,
 “ which might beget a happy understanding between
 “ him and his Parliament, in which he conceived
 “ his greatest Power, and Riches did consist.”

I have not known both Houses in more choler Both Houses
 and rage, than upon the receiving this Message, Votes con-
 which came early to them on *Wednesday* the sixteenth cerning the
 of *March*. Now the day before had been spent in Militia.
 preparing all things ready for the execution of the
 Ordinance of the Militia; They had Voted, and
 Resolved, “ that it was not any way against the
 “ Oath of Allegiance, that all the Commissions to
 “ Lieutenants under the great Seal were Illegal, and
 “ Void; and that whosoever should execute any
 “ power over the Militia by color of any Commission
 “ of Lieutenancy, without consent of both Houses
 “ of Parliament, should be accounted a disturber

BOOK IV. " of the Peace of the Kingdom." Then they agreed upon this Proposition, " that the Kingdom Had
 " been of late, and Still was, in so evident and imminent danger, both from Enemies abroad, and a
 " Popish and discontented Party at home, that there
 " was an urgent, and inevitable necessity of putting
 " his Majesty's Subjects into a posture of defence,
 " for the safeguard both of the King, and his People;
 " and that the Lords and Commons, apprehending
 " that danger, and being sensible of their own duty
 " to provide a suitable prevention, had, in several
 " Petitions, addressed themselves to his Majesty
 " for the ordering, and disposing the Militia of the
 " Kingdom in such a way, as was agreed upon, by
 " the wisdom of both Houses, to be most proper
 " for the present exigence of the Kingdom: Yet
 " they could not obtain it; but his Majesty did
 " several times refuse to give his Royal assent there-
 " unto. Upon this Proposition, they Resolved,
 " that in that case of extreme danger, and of his Ma-
 " jesty's refusal, the Ordinance agreed on by both
 " Houses for the Militia did oblige the people, and
 " ought to be obeyed, by the Fundamental Laws of
 " the Kingdom; and that such persons as should be
 " Nominated Deputy Lieutenants, and approved
 " of by both Houses, should receive the commands
 " of both Houses, to take upon them to execute
 " their Offices." All which Resolutions were or-
 " dered, the same night, to be printed and published.
 So that, when the King's Message from *Huntington*
 was read the next morning, and seemed to be against
 their Votes of the day before, they concluded,
 " that

“ that it could not be sent from the King, but that
 “ it had been inserted in blanks left in the Town for
 “ such purposes;” and immediately made a Com-
 mittee, “ to find out by whom that Message was
 “ framed.” But when they remembered, that they
 had Voted as much a week before, and had examined
 the Gentlemen who brought it, and had received it
 from the King’s own hand, they proceeded no fur-
 ther in that inquisition; but satisfied themselves with
 a new Vote, “ that those Persons, who advised his
 “ Majesty to absent himself from the Parliament,
 “ and those that advised him to that Message, were
 “ Enemies to the Peace of the Kingdom, and justly
 “ to be suspected to be favorers of the Rebellion
 “ in *Ireland*.” And for the matter itself they resolved
 to insist upon their former Votes; and withal de-
 clared, “ that when the Lords and Commons in
 “ Parliament, which is the supreme Court of Judi-
 “ cature in the Kingdom, should declare what the
 “ Law of the Land is, to have that not only ques-
 “ tioned, and controverted, but Contradicted, and
 “ a Command that it should Not be obeyed, was a
 “ breach of the Privilege of Parliament.”

And this likewise they caused to be speedily
 printed; lest the King should be able to persuade
 the Subjects, that an Order of theirs, without His
 consent, was no Law to compel their obedience.
 And from this last Resolution, by which the Law
 of the Land, and consequently the liberty of the
 Subject, was resolved into a Vote of the two Hou-
 ses, which passed without any dispute or hesitation,
 all Sober men discerned the fatal period of both, and

BOOK saw a Foundation laid for all the Anarchy and Confusion, that hath followed.

IV.

Their Order
concerning
Hull.

It was now known, that the King was gone to *York*, which made them apprehend their Principality of *Hull* might be in danger; and therefore they immediately Resolve, "that no Forces whatsoever shall be admitted into that Town, without the immediate consent of both Houses:" which Order was sent thither by an express. And having prepared the People to be ready for the Militia, by publishing "that, in case of Extreme danger, they were to obey that Ordinance; they were, in the next place, to find the danger to be Extreme;" and, to that purpose, they produced Letters without any name, pretended to be written from *Amsterdam*, signifying "that they had intelligence there, that there was an Army ready in *Denmark* to be transported into *England*, and was to be landed at *Hull*; which, they said, had been confirmed to them, by a person of reputation, from *New-Market*, who confirmed the Intelligence of *Denmark*: and added, that there were likewise Forces ready in *France* to be landed at *Hull*."

Of this, how gross and ridiculous soever it appeared to wise men, they made a double use (besides the general impression in the People) the one to color and countenance their Orders to their Governor there; the other, to make the King's residence in those parts suspected and grievous, as if he came thither only to bring in foreign forces upon them. With these Alarms of foreign forces, they mingled other Intelligence of the Papists in *England*, "that

“ they had a purpose of making an Insurrection;” and therefore they proceeded in preparing a Bill to secure the persons of those of the best quality, and greatest interest, and injoining the Oath of Supremacy to be taken with great rigor; and, amongst other stratagems they had to humble the Papists, I remember, upon an information that they used their Protestant Tenants worse in the raising their Rents, than they did those of their own Religion, there was an Order, “ that they should not raise the “ Rents of their Tenants, above the rates that the “ Protestant Landlords adjoining received from “ Their Tenants:” by virtue of which, in some places, they undertook to determine what Rents their Tenants should pay to them. But, in this zeal against the Papists, they could not endure that the King should have any share; and therefore, when they found, that his Majesty had published a Proclamation in his Journey towards *York*, “ command- “ ing all the Judges, and Justices of Peace, and “ other Officers, to put in due execution all the “ Laws, and Statutes of the Kingdom, against “ Popish Recusants, without favor or connivance,” they presently sent for the Sheriffs of *London* to the House of Commons, and examined them, “ why “ seven Priests, who were in *Newgate*, and had been “ long Condemned, were not Executed?” the reason whereof they well knew; and when the Sheriffs said, “ that they had received a Reprieve for them “ under the King’s hand,” they published that with great care in their prints to take off the credit of the new Proclamation; and appointed their Messengers;

B O O K IV. whom they were then sending to the King with a new Declaration, to move his Majesty, "that he
 " would take off his Reprieve, and suffer those seven
 " condemned Priests to be Executed, according to
 " the Judgments they had received "

They proceeded now to provide all necessary means for the raising great sums of money, by the diligent collection of what was granted by former Acts, and by a New Bill for the raising four hundred thousand pounds, for the payment of the great debts of the Kingdom (by which they meant the remainder of the three hundred thousand pounds, they had bountifully given to their Brethren of *Scotland*) and the support of the War of *Ireland*: All which monies were to be received, and disposed as the two Houses should direct; of which though the King saw the danger, that might, and Did after ensue thereupon, yet he thought that probable inconvenience and mischief to be less, than that, which the scandal of denying any thing, upon which the recovery of *Ireland* seemed to depend, would inevitably bring upon him; and so ratified whatsoever they brought to him of that Kind.

They make
 Propositions
 for Adventurers in
 Ireland.

Amongst other Expedients for raising of money for the War of *Ireland*, about this time, they made certain Propositions to encourage men to be Adventurers in that Traffick, Thus: They concluded "that,
 " in so general a Rebellion, very much land must
 " Escheat to the Crown by the forfeiture of Treason,
 " and that, out of such forfeitures, satisfaction might
 " be given to those, who should disburse money
 " towards the suppression of the Rebels; so many

" Acres of Land to be allowed for so much money, B O O K
 " according to the value of the Lands in the several IV.
 " Provinces, which was specified in the Proposi-
 " tions ; " which, having passed both Houses, were
 presented to the King, who (it being about the be-
 ginning of *February*, when the breach of their Pri-
 vileges rung in all men's ears) Answered, " that as
 " he had offered, and was still ready to venture,
 " his own Person for the recovery of that Kingdom,
 " if his Parliament should advise him thereunto ; so
 " he would not deny to contribute any other assist-
 " ance he could to that Service, by parting with
 " any profit or advantage of his own there ; and
 " therefore, relying upon the wisdom of his Parli-
 " ament, he did consent to every Proposition, now The King
consents to
them.
 " made to him, without taking time to consider,
 " and examine, whether that course might not
 " retard the reducing that Kingdom, by exasperat-
 " ing the Rebels, and rendering them desperate of
 " being received into Grace, if they should return
 " to their obedience. And, he said, he would be
 " ready to give his Royal assent to such Bills, as
 " should be tendered to him by his Parliament for
 " the confirmation of those Propositions. "

Which Answer, together with their Propositions,
 they caused forthwith to be Printed ; made their
 Committees, in all places, to solicit Subscriptions,
 and to receive the monies, the Principal and most
 Active person Subscribing first, for the example of
 others ; and delayed the framing, and presenting the
 Bill to the King, till they had received great sums
 of money, and procured very many persons of all

BOOK

IV.

conditions to Subscribe, many coming in out of pure covetousness to raise great fortunes; five hundred Acres of Land being assigned for one hundred pound in some Counties, and not much under that proportion in others: some out of pure fear, and to win credit with the Powerful Party, which made this new project a measure of men's affections, and a trial how far they might be trusted, and relied on.

Then they sent these Propositions digested into a Bill to the King, with such Clauses of power to them, and diminution of his own, that, upon the matter, he put the making a Peace with the Rebels there out of his power, though upon the most advantageous terms; which he was likewise necessitated to pass.

The King
passes a Bill
to that pur-
pose.

But notwithstanding all these preparations on This side the Sea, the relief, and provision was very slowly supplied to the Other side; where the Rebels still increased in strength, and, by the same of these Propositions, enlarged their power, very many Persons of Honor, and fortune, who till then had sat still, and either were, or seemed to be averse to the Rebellion, joining with them, as being desperate, and conceiving the utter suppressing their Religion, and the very extirpation of their Nation, to be decreed against them. And without doubt, the great Reformers here were willing enough to drive them to any extremity, both out of revenge and contempt, as a people easy to be rooted out, and that the War might be kept up still; since they feared an Union in that Kingdom might much prejudice their designs in This, both as it might supply

the King with power, and take away much of Theirs; B O O K
 whereas Now they had opportunity, with reference I V.
 to *Ireland*, to raise both men and money, which
 they might be able to employ upon more pressing
 occasions, as they will be found afterwards to have
 done. Neither was it out of their expectation and
 view, that, by the King's consenting to that severe
 Decree, he might very probably discourage his Ca-
 tholic Subjects, in his other Dominions, from any
 extraordinary Acts of duty, and affection: at least,
 that it would render him less considered by most
 Catholic Princes. And they knew well what use
 to make of any diminution of his interest, or repu-
 tation. These matters thus settled, for the ease of
 the two Houses, who were now like to have much
 to do, they appointed the whole business of *Ireland*
 to be managed by Commission under the great Seal
 of *England*, by four Lords and eight Commoners,
 whom they recommended to the King, and who
 were always to receive Instructions from Them-
 selves. And in this state, and disposition, were the
 affairs of *Ireland*, when the King went to *York*,
 where let us now resort to him.

THE
History of the Rebellion, etc.
B O O K V.

Iſa. III. 12.

*As for my People, Children are their Oppreſſors, and
Women rule over them: O my People, they which
lead thee, cauſe thee to err, and deſtroy the way
of thy paths.*

B O O K
V.

As ſoon as the King came to York, which was about the end of the Year 1641, and found his Reception there to be equal to his expectation, the Gentry, and Men of Ability of that great and Populous County (ſome very few excepted) expreſſing great alacrity for his Maſteſty's being with them, and no leſs ſenſe of the inſolent proceedings of the Parliament; thereupon, he reſolved to treat with the two Houſes in an other manner than he had done, and to let them clearly know, " That
" as he would deny them nothing that was fit for
" Them to aſk, ſo he would yield to nothing that
" was unreaſonable for Him to grant; and that he
" would have nothing extorted from him, that he
" was not very well inclined to conſent to." So, within few days after his coming thither, he ſent

them a Declaration (which he caused to be Printed, B O O K
and, in the Frontispiece, recommended to the v.
consideration of all his loving Subjects) in Answer
to that presented to him at *New-Market* some days
before, He told them :

“ That, though that Declaration, presented to
“ him at *New-Market* from both Houses of Parlia- His Majesty's Decla-
“ ment, was of so strange a Nature, in respect of ration from
“ what he expected (after so many Acts of Grace York,
“ and Favor to his People) and some expressions Mar. 9.
“ in it so different from the usual Language to Prin- 1641.
“ ces, that he might well take a very long time to
“ consider it; yet the clearness and uprightness of
“ his Conscience to God, and love to his Subjects,
“ had supplied him with a speedy Answer; and his
“ unalterable affection to his People prevailed with
“ him to suppress that passion, which might well
“ enough become him upon such invitation. He
“ said, he had reconsidered his Answer of the first
“ of that Month at *Theobald's*, which was urged to
“ have given just cause of sorrow to his Subjects;
“ but, he said, whoever looked over that Message
“ (which was in effect to tell him, that if he would
“ not join with them in an Act, which he conceived
“ might prove prejudicial and dangerous to him,
“ and the whole Kingdom, they would make a Law
“ without him, and impose it upon his People)
“ would not think that sudden Answer could be
“ excepted to. He said, he had little encouragement
“ to replies of that Nature, when he was told of
“ how little value his words were like to be with
“ them, though they came accompanied with all

BOOK V. “ the Actions of Love, and Justice (where there
 “ was room for Actions to accompany them) yet
 “ he could not but disavow the having any such
 “ evil Counsel, or Counsellors about him, to his
 “ knowledge, as were mentioned by them; and if
 “ any such should be discovered, he would leave
 “ them to the censure, and judgment of his Parlia-
 “ ment. In the mean time he could wish, that his
 “ own immediate Actions, which he did avow, and
 “ his own Honor might not be so roughly censured
 “ and wounded, under that common style of evil
 “ Counsellors. For his faithful and Zealous Affection
 “ to the true Protestant profession, and his Reso-
 “ lution to concur with his Parliament in any possible
 “ course for the propagation of It, and the suppress-
 “ sion of Popery, He said he could say no more than
 “ he had already expressed in his Declaration to all
 “ his loving Subjects, published in *January* last, by
 “ the advice of his Privy-Council; in which he
 “ endeavoured to make as lively a Confession of
 “ himself in that point, as he was able, being most
 “ assured, that the constant practice of his Life had
 “ been answerable thereunto: And therefore, he
 “ did rather expect a Testimony, and acknow-
 “ ledgment of such his Zeal and Piety, than those
 “ expressions he met with in that Declaration of
 “ any design of altering Religion in this Kingdom.
 “ And he said, he did, out of the innocency of his
 “ Soul, wish, that the judgments of Heaven might
 “ be manifested upon those, who have, or had any
 “ such design.
 “ As for the *Scots* Troubles, He told Them, he

“ had thought, that those unhappy differences had
“ been wrapped up in perpetual silence by the Act
“ of Oblivion; which, being solemnly passed in the
“ Parliaments of both Kingdoms, stopped his own
“ Mouth from any other Reply, than to shew his
“ great dislike for reviving the Memory thereof.
“ He said, if the Rebellion in *Ireland*, so odious
“ to all Christians, seemed to have been framed,
“ and maintained in *England*, or to have any Coun-
“ tenance from hence, he conjured both his Houses
“ of Parliament, and all his loving Subjects whatso-
“ ever, to use all possible means to discover, and
“ find such out, that he might join in the most
“ exemplary Vengeance upon them, that could be
“ imagined. But, he told them, he must think
“ himself highly, and causelessly injured in his Re-
“ putation, if any Declaration, Action, or Expres-
“ sion of the Irish Rebels; any Letters from the
“ Count *Rozetti* to the Papists, for Fasting and
“ Praying; or from *Tristram Whetcomb*, of strange
“ Speeches uttered in *Ireland*, should beget any
“ Jealousy, or Misapprehension in his Subjects of
“ his Justice, Piety, and Affection: it being evident
“ to all understandings, that those mischievous and
“ wicked Rebels, are not so capable of great advan-
“ tage, as by having their false discourses so far
“ believed, as to raise Fears and Jealousies to the
“ distraction of this Kingdom; the only way to
“ their Security. He said, he could not express a
“ deeper sense of the sufferings of his poor Protestant
“ Subjects in that Kingdom, than he had done in
“ his often Messages to both Houses; by which he

BOOK " had offered, and was still ready to venture his
 v. " Royal Person for their redemption, well knowing
 " that as he was, in his own Interests, more concerned in them; so he was to make a strict Account to Almighty God for any neglect of his
 " Duty, or their Preservation.

" For the manifold Attempts to provoke his late
 " Army, and the Army of the Scots, and to raise a
 " Faction in the City of *London*, and other parts of
 " the Kingdom, if it were said as relating to Him,
 " he could not without great Indignation, suffer
 " himself to be reproached to have intended the least
 " force, or threatening to his Parliament; as the being
 " Privy to the bringing up the Army would imply.
 " Whereas, he called God to Witness, he never
 " had any such thought, nor knew of any such Reso-
 " lution concerning his late Army. For the Petition
 " showed to him by Captain *Leg*, he said, he well
 " remembered the same, and the occasion of that
 " Conference. Captain *Leg* being lately come out
 " of the North, and repairing to him at *White-*
 " *Hall*, his Majesty asked him of the state of his
 " Army; and, after some relation of it, he told his
 " Majesty, that the Commanders and Officers of
 " the Army, had a mind to Petition the Parliament,
 " as others of his People had done, and showed him
 " the Copy of a Petition; which he read, and finding
 " it to be very humble, desiring the Parliament might
 " receive no interruption in the Reformation of
 " Church, and State, to the Model of Queen *Eliza-*
 " *beth's* days, his Majesty told him, that he saw no
 " harm in it; whereupon Captain *Leg* replied, that

" he believed all the Officers of the Army would like
 " it, only, he thought, Sir *Jacob Astley* would be
 " unwilling to sign it, out of fear that it would dis-
 " please Him. His Majesty then read the Petition
 " over again, and observing nothing in Matter
 " or Form he conceived could possibly give just
 " cause of Offence, he delivered it to him again,
 " bidding him give it to Sir *Jacob Astley*, for whose
 " satisfaction he writ C. R. upon it, to testify his
 " Approbation; and he wished that the Petition
 " might be seen and published, and then he believed
 " it would appear no dangerous one, nor a just
 " ground for the least Jealousy, or Misapprehension.
 " For Mr. *Jermyn*, he said, it was well known
 " that he was gone from *White-Hall*, before he
 " received the desire of both Houses for the restraint
 " of his Servants; neither returned he thither, or
 " passed over by any Warrant granted by him after
 " that time. For the breach of Privilege in the Accu-
 " sation of the Lord *Kimbolton*, and the five Members
 " of the House of Commons, he told them, he thought,
 " he had given so ample satisfaction in his several Mes-
 " sages to that purpose, that it should have been no
 " more pressed against him; being confident, if the
 " breach of Privilege had been greater than ever had
 " been before offered, his acknowledgment and
 " retraction had been greater than ever King had
 " given: besides the not Examining how many of
 " His Privileges had been invaded in defence and
 " vindication of the other. And therefore, he hoped
 " his true, and earnest protestation in his Answer to
 " their Order concerning the Militia, would so far

BOOK V. “ have satisfied them of his Intentions then , that
 V. “ they would no more have entertained any Imagi-

“ nation of any other design, than he there expressed.
 “ But why the lifting so many Officers, and enter-
 “ taining them at *White-Hall*, should be miscon-
 “ strued, he said, he much marvelled, when it was
 “ notoriously known the Tumults at *Westminster*
 “ were so great, and their demeanour so scandalous
 “ and seditious, that he had good cause to suppose
 “ his own Person, and those of his Wife and
 “ Children, to be in apparent danger; and therefore
 “ he had great reason to appoint a Guard about him,
 “ and to accept the dutiful tender of the Services of
 “ any of his loving Subjects, which was all he did
 “ to the Gentlemen of the Inns of Court.

“ For the Lord *Digby*, he assured them in the Word
 “ of a King, that he had his Warrant to pass the
 “ Seas, and left his Court, before ever he heard of
 “ the Vote of the House of Commons, or had any
 “ cause to imagine that his absence would have been
 “ excepted against. What their Advertisements were
 “ from *Rome, Venice, Paris*, and other parts, or
 “ what the Pope's Nuntio solicits the Kings of
 “ *France and Spain* to do; or from what Persons
 “ such informations came to them, or how the
 “ Credit and Reputation of such Persons had been
 “ sifted and examined, he said, he knew not; but
 “ was confident no Sober Honest Man in his King-
 “ doms could believe, that he was so desperate, or
 “ so senseless, to entertain such designs, as would
 “ not only bury this his Kingdom in sudden distrac-
 “ tion and ruin, but his Own Name and Posterity in

“ perpetual Scorn, and Infamy. And therefore, he
“ said, he could have wished in matters of so high and
“ tender a Nature, wherewith the minds of his good
“ Subjects must be startled, all the expressions had
“ been so plain and easy, that nothing might stick
“ with them that reflected upon his Majesty; since
“ they thought fit to publish it at all.

“ And having now dealt thus plainly and freely
“ with them, by way of Answer to the particular
“ grounds of their Fears, he said, he hoped, upon
“ a due consideration and weighing of both together,
“ they would not find the grounds to be of that
“ moment to beget, or longer to continue, a mis-
“ understanding between them; or force them to
“ apply themselves to the use of any other power,
“ than what the Law had given: the which he
“ always intended should be the measure of his own
“ Power, and expected it should be the rule of his
“ Subjects Obedience.

“ Concerning his own Fears and Jealousies, as he
“ had no Intention of accusing them, so he said, he
“ was sure no words spoken by him on the sudden
“ at *Theobald's* would bear that Interpretation. He
“ had said, for his Residence near them, he wished
“ it might be so safe and honorable, that he had no
“ cause to absent himself from *White-Hall*; and how
“ That could be a breach of Privilege of Parliament
“ he could not understand. He said, he had ex-
“ plained his meaning in his Answer at *New-Market*, at
“ the presentation of that Declaration, concerning
“ the printed seditious Pamphlets, and Sermons, and
“ the great Tumults at *Westminster*: And he said he

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“ must appeal to them , and all the world, whether
 “ he might not justly suppose himself in danger of
 “ either. And if he were now at *White-Hall*, he
 “ asked them, what security he had, that the like
 “ should not be Again? especially if any delinquents
 “ of that Nature had been apprehended by the
 “ Ministers of Justice, and had been rescued by the
 “ people, and so as yet had escaped Unpunished.
 “ He told them, if they had not yet been informed
 “ of the seditious words used in, and the circum-
 “ stances of those Tumults, and would appoint some
 “ way for the examination of them, he would require
 “ some of his learned Counsel to attend with such
 “ Evidence as might satisfy them; and till that were
 “ done, or some other course should be taken for his
 “ security, he said, they could not with reason
 “ wonder, that he intended not to be, where he
 “ most desired to be.

“ He asked them, whether there could Yet want
 “ evidence of his hearty and importunate desire to
 “ join with his Parliament, and all his faithful
 “ Subjects, in defence of the Religion, and public
 “ good of the Kingdom? Whether he had given
 “ them no other earnest but Words, to secure them
 “ of those desires? He told them the very Remon-
 “ strance of the House of Commons (published in
 “ *November* last) of the State of the Kingdom allowed
 “ him a more Real Testimony of his good Affections,
 “ than Words; that Remonstrance valued his Acts
 “ of Grace and Justice at so high a rate, that it
 “ declared the Kingdom to be Then a Gainer,
 “ though it had charged itself by Bills of Subsidies
 and

“ and Poll-money, with the levy of six hundred
 “ thousand pounds, besides the contracting a debt
 “ of two hundred and twenty thousand pounds more
 “ to his Subjects of *Scotland*. He asked them, whether
 “ the Bills for the Triennial Parliament, for relin-
 “ quishing his Title of imposing upon Merchandize,
 “ and power of pressing of Soldiers, for the taking
 “ away the Star-Chamber, and High Commission-
 “ Courts, for the regulating the Council-Table, were
 “ but Words? whether the Bills for the Forests,
 “ the Stannery - Courts, the Clerk of the Market,
 “ and the taking away the Votes of Bishops out of
 “ the Lords House, were but Words? Lastly, what
 “ greater earnest of his Trust, and Reliance on his
 “ Parliament could he give, than the Passing the
 “ Bill for the continuance of this Present Parlia-
 “ ment? The Length of which, he said, he hoped,
 “ would never alter the Nature of Parliaments, and
 “ the Constitution of this Kingdom; or invite his
 “ Subjects so much to abuse his Confidence, as to
 “ esteem any thing fit for this Parliament to do,
 “ which were not fit, if it were in his power to Dis-
 “ solve it to Morrow. And after all these, and many
 “ other Acts of Grace on his part, that he might be
 “ sure of a perfect reconciliation between him and all
 “ his Subjects, he had offered, and was still ready to
 “ grant, a free, and general Pardon, as ample as
 “ themselves should think fit. Now if those were not
 “ real Expressions of the Affections of his Soul for
 “ the Public Good of this Kingdom, he said, he
 “ must confess that he wanted skill to manifest them.
 “ To conclude, although he thought his Answer
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“ already full to that point concerning his return to
 “ *London*, he told them, that he was willing to
 “ declare, that he looked upon it as a matter of so
 “ great weight, as with reference to the Affairs of
 “ this Kingdom, and to his own inclinations and
 “ desires, that if all he could Say, or Do, could
 “ raise a mutual Confidence (the only way, with
 “ God’s blessing, to make them all happy) and, by
 “ their encouragement, the Laws of the Land, and
 “ the Government of the City of *London*, might
 “ recover some life for his Security; he would over-
 “ take their desires, and be as soon with them, as
 “ they could wish. And in the mean time, he
 “ would be sure that neither the business of *Ireland*,
 “ nor any other advantage for This Kingdom
 “ should suffer through His Default, or by His
 “ Absence; he being so far from repenting the
 “ Acts of his Justice and Grace, which he had
 “ already performed to his People, that, he said,
 “ he should, with the same alacrity, be still ready
 “ to add such New ones, as might best advance the
 “ Peace, Honor, and Prosperity of this Nation.”

They who now read this Declaration, and remember only the insolent and undutiful Expressions in that Declaration, to which this was an Answer, and the more insolent and seditious Actions which preceded, accompanied. and attended it, may think, that the style was not answerable to the Provocation, nor Princely enough for such a Contest; and may believe, that if his Majesty had then expressed himself with more Indignation for what he had suffered, and more Resolution, “ that he would No More

“ endure those Sufferings,” they who were not yet grown to the hardiness of Avowing the contempt of the King (and most of them having designs to be great With, and by Him, whom they provoked) would sooner have been checked, and recovered their Loyalty and Obedience. But they again who consider and remember that juncture of time, the incredible disadvantage his Majesty suffered by the misunderstanding of his going to the House of Commons, and by the Popular mistake of Privilege of Parliament, and consequently of the breach of those Privileges: And, on the contrary, the great height and reputation the Factious Party had arrived to, the stratagems they used, and the insinuations they made into the People, “ of the King’s disinclinations to the Laws of the Land;” and especially, “ that he had consented to all those excellent Laws made this Parliament (of which the People were possessed) very unwillingly, and meant to avoid them: “ That the Queen had an irreconcilable Hatred to the Religion professed, and to the whole Nation, “ and that her Power was unquestionable: That there was a design to send the Prince beyond the Seas, and marry him to some Papist:” Above all (which the principal of them, with wonderful Confidence, in all places avowed to be true) “ that the Rebellion in *Ireland* was fomented, and countenanced at least, by the Queen, that good terms might be got for the Catholics in *England*.” I say, whoever remembers all this, and, that though it might be presumed, that the exorbitancy of the Parliament might be very offensive to some Sober

B O O K and discerning Men, yet his Majesty had no reason
 V. to presume of their eminent and vehement Zeal on his behalf, since he saw all those (some few only excepted) from whom he might challenge the duty, and faith of Servants *usque ad aras*, and for whose sake he had undergone many difficulties either totally alienated from his Service; and engaged against Him, or, like Men in a Trance, unapplicable to it: He will, I say, conclude that it concerned his Majesty, by all gentleness and condescension, to undeceive, and recover Men to their sobriety and understanding, before he could hope to make them apprehensive of their own duty, or the reverence that was due to him; and therefore, that he was to descend to all possible Arts, and Means to that purpose, it being very evident, that Men would no sooner discern his Princely Justice and Clemency, than they must be sensible of the Indignities which were offered to him; and incensed against those who were the Authors of them.

And the truth is (which I speak knowingly) at that time, the King's Resolution was to Shelter himself wholly under the Law; to grant any thing, that by the Law he was obliged to grant; and to deny, what by the Law was in his own power, and which he found inconvenient to consent to, and to oppose and punish any extravagant attempt by the force and power of the Law, presuming that the King and the Law together would have been strong enough for any encounter that could happen; and that the Law was so sensible a thing, that the People would easily perceive who endeavoured, to Pre-

serve, and who to Suppress it, and dispose themselves accordingly. B O O K
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The day before this Answer of his Majesty came to the Members then Sitting at *Westminster*, though they knew they should speedily receive it, lest somewhat in it might Answer, and so prevent some other scandals they had a mind to lay to his Majesty's Charge, they sent a Petition to him, in the Name of the Lords and Commons, upon occasion of the short cursory Speech he made to their Committee (which is before mentioned) at the delivery of their Declaration at *New-Market*, in which they told him.

" That the Lords and Commons in Parliament
 " could not conceive, that that Declaration, which
 " he received from them at *New-Market*, was such as
 " did deserve that censure his Majesty was pleased
 " to lay upon them in that Speech, which his
 " Majesty made to their Committee; their address
 " therein, being accompanied with plainness, hu-
 " mility, and faithfulness, they thought more proper
 " for the removing the distraction of the Kingdom,
 " than if they had then proceeded according to his
 " Message of the twentieth of *January*, by which
 " he was pleased to desire, that they would declare,
 " what they intended to do for his Majesty, and
 " what they expected to be done for Themselves;
 " in both which, they said, they had been very
 " much hindered by his Majesty's denial to secure
 " them, and the whole Kingdom, by disposing the
 " Militia as they had divers times most Humbly
 " Petitioned. And yet, they said, they had not been
 " altogether negligent of either, having lately made

The Petition
 of the Lords
 and Com-
 mons pre-
 sented to his
 Majesty at
 York. Mar.
 26. 1642.

BOOK V. “ good proceedings in preparing a Book of Rates,
“ to be passed in a Bill of Tonnage and Poundage,
“ and likewise the most material heads of those
“ humble desires, which they intended to make to
“ his Majesty for the good and contentment of his
“ Majesty and his People; but none of those could
“ be perfected before the Kingdom be put in safety,
“ by settling the Militia: And until his Majesty
“ should be pleased to concur with his Parliament
“ in those necessary things, they held it impossible
“ for his Majesty to give the world, or his People,
“ such satisfaction concerning the Fears and Jealousies,
“ which they had expressed, as they hoped
“ his Majesty had already received touching that
“ exception, which he was pleased to take to Mr.
“ Pym’s Speech. As for his Majesty’s Fears and
“ Doubts, the ground whereof was from seditious
“ Pamphlets and Sermons, they said, they should
“ be as careful to endeavour the removal of them,
“ as soon as they should understand what Pamphlets
“ and Sermons were by his Majesty intended, as
“ they had been to prevent all dangerous Tumults.
“ And if any extraordinary Concurrence of people
“ out of the City to *Westminster* had the face and
“ show of Tumult and Danger, in his Majesty’s
“ apprehension, it would appear to be caused by
“ his Majesty’s denial of such a Guard to his Parliament,
“ as they might have cause to Confide in;
“ and by taking into *White-Hall* such a Guard for
“ Himself, as gave just cause of Jealousy to the
“ Parliament, and of Terror and Offence to his
“ People. They told him, they fought nothing but

" his Majesty's Honor, and the Peace and Prosperity
 " of his Kingdoms; and that they were heartily sorry,
 " they had such plentiful matter for an Answer to
 " that Question, whether his Majesty had violated
 " their Laws? They besought his Majesty to re-
 " member; that the Government of this Kingdom,
 " as it was, in a great part, managed by his Ministers
 " before the beginning of this Parliament, consisted
 " of many continued and multiplied Acts of viola-
 " tion of Laws; the wounds whereof were scarcely
 " healed, when the Extremity of all those violations
 " was far exceeded by the late Strange, and unheard
 " of breach of their Laws in the Accusation of the
 " Lord *Kimbolton*, and the five Members of the
 " Commons House, and in the proceedings there-
 " upon; for which they had yet received no full
 " satisfaction.

" To his Majesty's next Question, whether he
 " had denied any Bill for the ease and security of
 " his Subjects? They wished they could stop in
 " the midst of their Answer; that with much thank-
 " fulness they acknowledged, that his Majesty had
 " passed many good Bills full of contentment and
 " advantage to his People: but Truth and Necessity
 " enforced them to add this, that even in, or about
 " the time of passing those Bills, some design or
 " other had been on foot, which, if it had taken
 " effect, would not only have deprived them of the
 " fruit of those Bills, but have reduced them to a
 " worse condition of confusion, than that wherein
 " the Parliament found them.

" And if his Majesty had asked them the third

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“ Question intimated in that Speech, what They
 “ had done for Him ? they told him, their Answer
 “ would have been much more easy ; That they had
 “ paid two Armies with which the Kingdom was
 “ burdened the last year, and had undergone the
 “ Charge of the War in *Ireland* at this time, when
 “ through many other excessive Charges and pref-
 “ sures, his Subjects had been exhausted, and the
 “ Stock of the Kingdom very much diminished ;
 “ which great mischiefs, and the charges thereupon
 “ ensuing, had been occasioned by the evil Counsels
 “ so powerful with his Majesty, which had, and
 “ would cost this Kingdom more than two Millions ;
 “ all which, in justice, ought to have been born by
 “ his Majesty.

“ As for that free and general pardon his Majesty
 “ had been pleased to offer, they said, it could be
 “ no security to their Fears and Jealousies, for
 “ which his Majesty seemed to propound it ; because
 “ they arose not from any Guilt of their own
 “ Actions, but from the evil designs, and attempts
 “ of others.

“ To that their Humble Answer to that Speech ,
 “ they desired to add an Information, w ich they
 “ had lately received from the Deputy , zernor
 “ of the Merchānt- Adventurers at *Rotterdam* in
 “ *Holland*, that an unknown person, appertaining
 “ to the Lord *Digby*, did lately solicit one *James*
 “ *Henly* a Mariner, to go to *Elfenore*, and to take
 “ charge of a Ship in the Fleet of the King of *Den-*
 “ *mark*, there prepared ; which he should conduct
 “ to *Hull*. In which Fleet likewise, he said, a great

“ Army was to be transported; and although they
 “ were not apt to give credit to Informations
 “ of that Nature, yet they could not altogether
 “ think it fit to be neglected; but that it might
 “ justly add somewhat to the weight of their Fears
 “ and Jealousies, considering with what circum-
 “ stances it was accompanied; with the Lord *Digby’s*
 “ preceding expressions in his Letter to her Majesty,
 “ and Sir *Lewis Dives*; and his Majesty’s succeeding
 “ course of withdrawing himself North-ward from
 “ his Parliament, in a manner very suitable and
 “ correspondent to that evil Counsel; which, they
 “ doubted, would make much deeper impresson in
 “ the generality of his People: and therefore, they
 “ most humbly advised, and besought his Majesty,
 “ for the procuring and settling the confidence of
 “ his Parliament and all his Subjects, and for the
 “ other important reasons concerning the recovery
 “ of *Ireland*, and securing This Kingdom, which
 “ had been formerly presented to him, he would
 “ be graciously pleased, with all convenient speed,
 “ to return to those Ports, and to close with the
 “ Counsel and desire of his Parliament; where he
 “ should find their dutiful affections and endeavours
 “ ready to attend his Majesty with such entertain-
 “ ment, as should not only give him just cause of
 “ security in their faithfulness, but other manifold
 “ evidences of their earnest intentions, and en-
 “ deavours to advance his Majesty’s Service, Honor,
 “ and Contentment; and to establish it upon the sure
 “ Foundation of the Peace, and Prosperity of all
 “ his Kingdoms.”

BOOK

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The King's
Answer.

This, which They called a Petition, being presented to the King, his Majesty immediately returned, by the same Messengers, his Answer in these words :

“ If you would have had the patience to have expected our Answer to your last Declaration, (which, considering the nature of it, hath not been long in coming) We believe, you would have saved yourselves the labor of saying much of this Message. And We could wish, that our Privileges on all parts were so stated, that this way of Correspondency might be preserved with that freedom, which hath been used of old. For We must tell you, that if you, may ask Any thing of us by Message or Petition, and in what Language (how Unusual soever) you think fit, and we must neither Deny the thing you ask, nor give reason why we cannot Grant it, without being taxed of breaking your Privileges, or being Counsell'd by those, who are Enemies to the Peace of the Kingdom, and Favorers of the Irish Rebellion (for we have seen your printed Votes upon our Message from *Huntington*) you will reduce all our Answers hereafter into a very little room ; in plain English, it is to take away the freedom of our Vote ; which, were We but a Subject, were high Injustice ; but being your King, we leave all the world to judge What it is.

“ Is this the way to compose all misunderstandings ? We thought, we showed you one, by our Message of the twentieth of *January*, if you have a better or readier, We shall willingly hearken to it, for hitherto you have showed us None. But

“ why the refusal to consent to your Order, which
“ You call a Denial of the Militia, should be any
“ interruption to it, we cannot understand. For the
“ Militia, which we always thought necessary to
“ be settled, we never denied the Thing (as we told
“ you in our Answer of the 28th of *January*) to the
“ Petition of the House of Commons, for we ac-
“ cepted the Persons, except for Corporations; we
“ only denied the Way. You ask it by way of Or-
“ dinance, and with such a Preface, as we can
“ neither with justice to our Honor, or Innocency
“ consent to. You exclude Us from any power in
“ the disposition or execution of it together with
“ you; and for a time utterly Unlimited. We tell
“ you, we would have the Thing done; allow the
“ Persons, with that exception; desire a Bill, the
“ only Good Old way of imposing on our Subjects:
“ We are extremely unsatisfied what an Ordinance
“ is, but well satisfied, that without Our Consent
“ it is Nothing, nor Binding: and it is evident by
“ the long time spent in this Argument, the necessity
“ and danger was not so imminent, but a Bill might
“ have been prepared; which if it shall Yet be done,
“ with that due regard to Us, and care of our People,
“ in the limitation of the power and other circum-
“ stances, we shall recede from nothing we formerly
“ expressed in that Answer to your Order; otherwise,
“ we must declare to all the world, that we are not
“ satisfied with, or shall ever allow our Subjects to
“ be bound by, your printed Votes of the fifteenth or
“ sixteenth of this Month; or that under pretence of
“ Declaring what the Law of the Land is, you shall,

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“ without Us, make a New Law, which is plainly
“ the case of the Militia: and what is this but to
“ introduce an Arbitrary way of Government ?

“ Concerning *Pym's* Speech, you will have
“ found, by what the Lord *Compton* and Mr. *Bayn-*
“ *ton* brought from Us in Answer to that Message
“ they brought to Us, that, as yet, we rest nothing
“ satisfied in that particular.

“ As for the seditious Pamphlets and Sermons, We
“ are both sorry and ashamed (in so great variety ,
“ and in which our Rights , Honor and Authority ,
“ are so insolently slighted and vilified , and in which
“ the dignity and freedom of Parliaments is so much
“ invaded , and violated) it should be asked of Us to
“ Name any. The mentioning of the Protestation
“ protested, the Apprentices Protestation , *To your*
“ *Tents O Israel*, or any other , would be too great
“ an excuse for the rest: If you think them not worth
“ your Inquiry , We have done. But we think it
“ most strange to be told, that our denial of a Guard
“ (which we yet never denied, but granted in another
“ manner , and under a Command at that time most
“ accustomed in the Kingdom) or the denial of any
“ thing else (which is in our power legally to deny)
“ which in our understanding, of which God hath
“ surely given us some use, it not fit to be granted,
“ should be any excuse for so dangerous a Concourse
“ of People; which, not only in Our apprehension,
“ but, We believe, in the interpretation of the Law
“ itself, hath been always held most Tumultuous ,
“ and Seditious. And We must wonder, what, and
“ whence come the Instructions and Informations,

“ that those People have, who can so easily think
 “ themselves obliged by the Protestation to Assemble
 “ in such a manner for the defence of Privileges,
 “ which cannot be so clearly known to any of them,
 “ and so negligently pass over the consideration, and
 “ defence of our Rights, so beneficial and necessary
 “ for themselves, and scarce unknown to any of them;
 “ which by their Oaths of Allegiance and Supre-
 “ macy, and even by the same Protestation, they
 “ are at least Equally obliged to defend. And what
 “ interruptions such kind of Assemblies may be to
 “ the freedom of future Parliaments (if not season-
 “ ably discountenanced and suppressed) We must
 “ advise you to consider; as likewise, whether both
 “ our Rights and Powers may not by such means be
 “ usurped, by hands not trusted by the Constitution
 “ of this Kingdom. For our Guard, We refer you
 “ to Our Answer to your Declaration.

“ By that Question of violating your Laws, by
 “ which We endeavoured to express our care, and
 “ resolution to observe them, We did not expect,
 “ you would have been invited to have looked back
 “ so many years, for which you have had so ample
 “ reparation; neither looked we to have been re-
 “ proached with the Actions of our Ministers Then
 “ against the Laws, whilst we express so great Zeal
 “ for the Present Defence of them; it being our re-
 “ solution, upon observation of the mischief which
 “ then grew by Arbitrary Power (though made
 “ plausible to us by the suggestions of Necessity and
 “ imminent Danger, and take you heed, You fall
 “ not into the same error, upon the same suggestions)

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“ hereafter to keep the Rule Ourself, and to Our
“ Power require the same from all others. But above
“ all, We must be most sensible of what you cast
“ upon us for requital of those good Bills, you cannot
“ deny. We have denied any such design; and as
“ God Almighty must judge in that point between
“ us, who knows our upright intentions at the
“ passing those Laws, so in the mean time we defy
“ the Devil to prove, that there was any design
“ (with Our Knowledge, or Privity) in or about
“ the time of passing those Bills, that, had it taken
“ effect, could have deprived Our Subjects of the
“ fruit of them. And therefore we demand full repara-
“ tion in this point, that we may be cleared in the
“ sight of all the world, and chiefly in the Eyes of
“ our loving Subjects, from so notorious and
“ false an imputation, as this is.

“ We are far from denying what you have done;
“ for We acknowledge the charge Our people hath
“ sustained in keeping the two Armies, and in re-
“ lieving *Ireland*; of which we are so sensible, that
“ in regard of those great burdens Our People hath
“ undergone, We have, and do patiently suffer
“ those extreme Personal Wants, as our Predecessors
“ have been seldom put to, rather than We would
“ press upon them; which we hope in time, will be
“ considered on your parts.

“ In our offer of a general pardon, our intent was
“ to compose and secure the general condition of our
“ Subjects, conceiving that, in these times of great
“ distractions, the good Laws of the Land have not
“ been enough observed; but it is a strange world,

“ when Princes proffered Favors are counted Re- B O O K
“ proaches ; yet if you like not this Our offer, We v.
“ have done.

“ Concerning any discourfes of Foreign Forces,
“ though We have given you a full Answer in Ours
“ to your laft Declaration ; yet We muft tell you ,
“ we have neither fo ill an opinion of Our own merit,
“ or the Affections of our good Subjects , as to think
“ Ourfelf in need of any Foreign Forces to preferve
“ us from oppreffion ; and we fhall not need for any
“ other purpose : but are confident, through God’s
“ providence , not to want the good wifhes and Af-
“ fiftance of the whole Kingdom, being refolved to
“ build upon that fure Foundation, the Law of the
“ Land ; and we take it very ill, that General dif-
“ courfes between an Unknown Perfon and a Ma-
“ riner, or inferences upon Letters , fhould be able
“ to prevail in matters fo Improbable in themfelves,
“ and Scandalous to Us, for which we cannot but
“ likewise afk reparation, not only for the vindica-
“ tion of our own Honor, but alfo thereby to settle
“ the minds of our Subjects, whole fears and jealou-
“ fies would foon vanifh , were they not fed and
“ maintained by fuch falfe and malicious Rumors as
“ thefe.

“ For Our return to Our parliament, We have
“ given you a full Answer in Ours to your Declara-
“ tion ; and you ought to look on Us as not Gone,
“ but Driven, (we fay not By you, yet) From you.
“ And if it be not fo eafy for you to make Our refi-
“ dence in *London* fo fafe , as We could defire, We
“ are and will be contented, that Our Parliament

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“ be Adjourned to such a place , where we may be
 “ fitly and safely with you. For though We are not
 “ pleased to be at this distance, yet you are not to
 “ expect Our presence , until you shall both secure
 “ us concerning Our just Apprehensions of tumultu-
 “ ary Insolences, and likewise give Us satisfaction
 “ for those insupportable and insolent Scandals, that
 “ are raised upon Us.

“ To Conclude, as We have or shall not refuse
 “ any agreeable way to Justice or Honor, which
 “ shall be offered to Us for the begetting a right
 “ understanding between Us; so We are resolved
 “ that no straits or necessities, to which We May
 “ be driven, shall ever compel us to do that, which
 “ the reason and understanding that God hath given
 “ us , and Our Honor, and Interest, with which
 “ God hath trusted us for the good of Our Posterity
 “ and Kingdoms, shall render unpleasant and grie-
 “ vous to Us. And we assure you, how meanly
 “ soever You are pleased to value the discharge of
 “ Our public Duty, We are so conscious to Our-
 “ self of having done Our part since this Parliament,
 “ that in whatsoever condition We now stand, We
 “ are confident of the continued protection from
 “ Almighty God, and the constant Gratitude, Obe-
 “ dience, and Affection from Our People. And We
 “ shall trust God with all.”

These quick Answers from the King gave them
 very much trouble, and made it evident to them,
 that he would no more be Swaggered into conces-
 sions what he thought unreasonable, or persuaded to
 them upon General promises, or an implicit confi-
 dence

dence in their Future modesty; but that he demanded reparation for the breach of his Privileges, and so fought with them with their own Weapons, troubled them much more; apprehending that, in a short time, the People might be persuaded to believe, that the King was in the right, and had not been well dealt with: and though some few, who thought themselves too far engaged to retire, were glad of the sharpness of these Paper-Skirmishes, which they believed made the wound still wider, and more incurable; yet the Major part, which had been induced to join with them out of Confidence that the King would yield, and that their boldness and importunity in Asking, would prevail with his Majesty to Consent, wished themselves fairly unentangled; and I have heard many of the fiercest Concurrers, and who have ever since kept them company, at that time profess, "that if any expedient might be found * to reconcile the present difference about the Militia, they would no more Adventure upon * Demands of the like Nature:" and the Earl of *Essex* himself was startled, and confessed to his Friends, "that he desired a more moderate proceeding should be in Parliament; and that the King, who had Given so much, should Receive some * satisfaction." But those of the Court, who thought their faults to their Master most unpardonable, could not endure that the youngest Courtier, should be the eldest Convert; and therefore, by repeating what the King and Queen had said of him Heretofore, and by fresh Intelligence, which they procured from *York* of what the King Then thought of him,

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B O O K they persuaded him, "that his condition was too
V. "desperate to recede:" and all men were persuaded, that this steady deportment of the King proceeded from some new evil Counsellors, who would be as soon Destroyed, as Discovered; and that Then they would so carry themselves, that the King should owe his Greatness, and his Glory (for they still said, "he should excel all his Predecessors in, both") to Their formed Counsels and Activity, and not to the whispers of those who thought to do his business without them. And I am persuaded that even then, and I was at that time no stranger to the persons of most that governed, and a diligent observer of their carriage, they had rather a design of making themselves powerful with the King, and great at Court, than of lessening the power of the One, or reforming the discipline of the Other: but, no doubt, there were some Few in the number that looked further; yet by pretending That, kept up the Mettle of writing, and inclined them for their Honor to new Declarations.

The King found himself at some ease, and most Persons of Quality of that great County, and of the Counties adjacent, resorted to him, and many Persons of condition from *London*, and those parts, who had not the Courage to attend upon him at *White-Hall*; so that the Court appeared with some Lustre. And now he begun to think of executing some of those Resolutions, which he had made with the Queen before her departure; One of which was, and to be first done, the removing the Earls of *Essex* and *Holland* from their Offices in the Court, the

One of Chamberlain, the Other of Groom of the Stole, which hath the reputation and benefit of being first Gentleman of the Bed-Chamber. Indeed no man could speak in the justification of either of them, yet no man thought them Equally culpable. The Earl of *Holland* was a Person merely of the King's, and his Father's Creation; raised from the Condition of a private Gentleman, a younger Brother of an Extraction that lay under a great blemish, and without any Fortune, to a great height by their mere favor, and bounty. And they had not only adorned him with Titles, Honors, and Offices, but enabled him to support those in the highest Lustre, and with the largest Expence: and this King had drawn many inconveniences, and great disadvantages, upon himself and his Service, by his preferring him to some Trusts, which Others did not only think Themselves, but Really were, worthier of; but especially by indulging him so far in the rigorous Execution of his Office of Chief-Justice in Eyre, in which he brought more prejudice upon the Court, and more discontent upon the King, from the most considerable part of the Nobility and Gentry in *England*, than proceeded from any one Action, that had its rise from the King's Will and Pleasure, though it was not without some Warrant from Law; but having not been practised for some hundreds of Years, was looked upon as a terrible Innovation and Exaction upon Persons, who knew not that they were in any fault; nor was any imputed to them, but the Original Sin of their Fore-fathers, even for which they were obliged to pay, great

B O O K Penalties and Ransoms. That such a Servant should
v. suffer his Zeal to lessen and decay towards such a Master, and that he should keep a Title to lodge in his Bed Chamber, from whose Court he had, upon the matter withdrawn himself, and adhered to, and assisted those, who affronted and contemned his Majesty so notoriously, would admit of no manner of Interposition and Excuse.

Less was to be objected against the Earl of *Essex*, who, as he had been, all his Life, without obligations from the Court, and believed he had undergone oppression there, so he was, in all respects, the same Man he had always professed himself to be, when the King put him into that Office; and in receiving of which, many men believed, that He rather gratified the King, than that his Majesty had obliged Him in conferring it; and it had been, no doubt, the chief reason of putting the Staff in his hand, because in that Conjunction no other Man, who would in any degree have appeared worthy of it, had the Courage to receive it. However having taken the Charge upon him, he ought, no doubt, to have taken all his Master's concerns more to Heart, than he had done; and he can never be excused for staying in *White-Hall*, when the King was with that Outrage driven from thence, and for chusing to behold the triumph of the Members return to *Westminster*, rather than to attend his Majesty's Person in so great perplexity to *Hampton-Court*; which had been his duty to have done, and for failing wherein no other excuse can be made, but that, after he had taken so full Resolution to

have waited upon his Majesty thither, that he had dressed himself in his Travelling habit, he was diverted from it by the Earl of *Holland*, who ought to have accompanied him in the Service, and by his averment, "that if he went, he should be Assassinated;" which it was not possible should have ever been so much as thought of.

Notwithstanding all this, the Persons trusted by his Majesty and remaining at *London*, had no sooner notice of it (which his Majesty sent to them, that he might be advised the best way of doing it) but they did all they could to dissuade the pursuing it. They did not think it a good conjuncture to make those two Persons desperate; and they knew that they were not of the temper and inclinations of those, who had too much credit with them, nor did desire to drive things to the utmost extremities, which could never better their Conditions; and that they did both rather desire to find any Expedients, by which they might make a safe and honorable Retreat, than to Advance in the way they were engaged in. But the Argument they chiefly insisted on to the King, was, "That being deprived of their Offices, they would be able to do more mischief, and ready to embark themselves with the most desperate Persons, in the most desperate Attempts;" which fell out accordingly. And there is great reason to believe, that if that Resolution the King had taken, had not been too obstinately pursued at that time, many of the mischiefs, which afterwards fell out, would have been prevented; and, without doubt, if the Staff had remain-

B O O K V. ed still in the hands of the Earl of *Essex*, by which he was charged with the Defence and Security of the King's Person, he would never have been prevailed with to have taken upon him the Command of that Army, which was afterwards raised against the King, and with which so many Battles were Fought. And there can be as little doubt in any man, who knew well the nature and temper of that Time, that it had been very difficult, if not utterly impossible, for the two Houses of Parliament to have raised an Army Then, if the Earl of *Essex* had not consented to be General of that Army.

But the King was inexorable in the point; He was obliged by promise to the Queen at parting, which he would not break; and her Majesty had Contracted so great an indignation against the Earl of *Holland*, whose ingratitude indeed towards Her was very odious, that she had said, "She would never live in the Court, if He kept his place." And so the King sent an Order to *Lyttleton*, the Lord Keeper of the Great Seal, "That he should require the Staff and Key from the One, and the Other, and receive them into his custody." The Keeper trembled at the Office, and had not Courage to undertake it. He went presently to the Lord *Falkland*, and desired him to assist him in making his excuse to the King. He made many professions of his Duty to the King, "who, he hoped, would not Command him in an Affair so unsuitable to the Office he held under him: that no Keeper had been employed in such a Service; that if he should execute the Order he had received, it would in the first

“ place be Voted a breach of Privilege in him, being B O O K
 “ a Peer; and the House would commit him to V.
 “ Prison, by which the King would receive the
 “ greatest affront, though He should be ruined;
 “ whereas the thing itself might be done by a more
 “ proper Officer, without any inconvenience.

How weak soever the Reasons were, the Passion was strong, and the Lord *Falkland* could not refuse to convey his Letter to the King, which contained his Answer in his own words, with all the imaginable professions of Duty and Zeal for his Service. How ill soever his Majesty was satisfied, he saw the business would not be done that way; and therefore he writ immediately a Letter, all in his own hand, to the Lord *Falkland*; in which with some gracious expressions of excuse for putting that work upon Him, he Commanded him “to require the surrender of the “ Ensigns of their Offices from those two Earls.” The Lord *Falkland* was a little troubled in receiving the Command: They were Persons from whom he had always received great Civilities, and with whom he had much Credit; and this harsh Office might have been more Naturally, and as Effectually performed by a Gentleman Usher, as the same Staff had been demanded before from the Earl of *Pembroke*, within less than a Year. However, he would make no excuse, being a very punctual and exact Person in the performances of his Duty; and so went to both of them, and met them coming to the House, and imparted his Message to them: They desired him very civilly, “that he would give them leave

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“ to confer a little together, and they would, within half an hour, send for him into the House of Commons;” whither he went, and they, within less time, sent to him to meet them in Sir *Thomas Cotton’s* Garden (a place adjacent, where the Members of both Houses used frequently to walk) and there with very few words, they delivered the Staff and the Key into his hands, who immediately carried them to his Lodging; and They went up to the House of Peers: and presently both Houses took notice of it, and with Passion, and bitter Expressions against the evil Counsellors, who had given his Majesty that Counsel, they concurred in a Vote, “ that whosoever presumed to accept of either of those Offices, should be reputed an Enemy to his Country;” and then they proceeded with more impetuosity in the business of the Militia, and all other matters which most trench upon the King’s Authority.

Whilst they were so eager in pursuit of the Militia, and pretended the necessity so imminent, that they could not defer the disposition thereof till it might be Formally, and Regularly settled by Bill, they had their Eye upon another Militia, the Royal Navy; without recovering of which to their own power (though they were satisfied by the pulse of the People, that they would join with them, and be generally obedient to their Commands) they had no mind to venture upon the execution of their Land-Ordinance. And therefore, in the beginning of the Spring, when the Fleet for that Year was provided, after they had excepted against such Persons to be

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Captains of Ships, as they thought not devoted to them (as is before mentioned) they sent a formal Message to the Lords, "that the Earl of *Northumberland*, Lord Admiral, might be moved to constitute the Earl of *Warwick* his Admiral of the Fleet for that Year's Service, being a Person of such Honor and Experience, as they might safely Confide in him; and that the Earl of *Warwick* might be desired to undertake that Service." The Lords thought fit that the King's approbation might be first desired, before it was recommended to the Earl of *Northumberland*; but the Commons thought that superfluous, since the Officers of the Fleet were absolutely in the Earl's disposal; and therefore refused to send to the King, but of Themselves sent to both the one Earl and the other; and the Earl of *Warwick*, being well pleased with the Trust, very frankly, without waiting the King's consent, declared "that he was ready to undertake the employment." But this being so publicly agitated, the King could not but take notice of it; and finding that the business should not be proposed to him, thought it necessary, to signify his pleasure in it, that so at least the Lord Admiral might not pretend innocence, if ought should be done to his disservice; and therefore, he appointed Mr. Secretary *Nicholas* to write to the Earl of *Northumberland*, "that his Majesty expected that Sir *John Pennington* should Command that Fleet, as he had done two or three Years before." This Letter being communicated to both Houses, and the Lord Admiral being thereby upon the disadvantage of a Single contest with

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the King, the House of Commons, rather out of kindness and respect to the Earl, than of Duty to the King, Condescended to join with the Lords in a Message to his Majesty; which they sent not by Members of their own, but directed the Lord Keeper "to inclose it in a Letter to the Secretary attending the King, and to send the same to *York*;" which he did accordingly. The Message was:

A Message
from both
Houses to the
King, Mar.
28. 1642

"That the Lords and Commons, in this present Parliament assembled, having found it necessary to provide, and set to Sea, a strong and powerful Navy for the Defence of this Kingdom against Foreign force, and for the Security of his Majesty's other Dominions, the Charge whereof was to be born by the Common-wealth: and taking notice of the indisposition of the Lord Admiral, which disabled him, at that time, for Commanding the Fleet in his own Person, did thereupon recommend unto his Lordship the Earl of *Warwick*, a Person of such Quality and Abilities, as in whom they might best Confide, to supply his Lordship's room for this Employment; and understanding that his Majesty hath Since signified his Pleasure concerning that Command for *John Pennington*, they said, they did hold it their Duty to represent to his Majesty the great danger, and mischief the Common-wealth was like to sustain by such interruption; and therefore did humbly beseech his Majesty, that the Noble Person, recommended by both Houses of Parliament for this Service, might be no longer detained from it, out of any particular respect to any other Person whatsoever."

The same day that this Message came to his Majesty, he despatched an Answer to the Lord Keeper; in which he told him, "That he wondered both at the Form, and Matter of that inclosed Paper he had sent to him, in the Name of both Houses of Parliament: It being neither by the way of Petition, Declaration, or Letter; and for the Matter, he believed, it was the first time, that the Houses of Parliament had taken upon them the Nomination, or Recommendation of the chief Sea-Commander; but it added to the wonder, that Sir *John Pennington* being already appointed by Him for that Service, upon the Recommendation of his Admiral, and no fault so much as alledged against him, another should be recommended to him. Therefore, he said, his Resolution upon that point was, that he would not alter him, whom he had already appointed to Command that Year's Fleet; whose every ways Sufficiency was so Universally known, the which he was confident his Admiral, if there should be occasion, would make most evident; against whose testimony he supposed his Parliament would not except. And though there were yet None appointed, or the said Sir *John*, through some accident, not able to perform the Service; yet, he said, the men of that profession were so well known to him, besides many other reasons, that (his Admiral excepted, because of his place) recommendations of that kind would not be acceptable to him."

This Answer was no other than they expected,

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The King's
Answer.

B O O K though they seemed troubled at it, and pretended
v. that they had many things of Misdemeanour to object against Sir *John Pennington*, at least such matters as would render him incapable of that Trust; the greatest of which was that he had conveyed the Lord *Digby* over Sea; though they well knew (as is before mentioned) that he had the King's Warrant and Command for that purpose; and therefore moved the Lords that he might be sent for to be examined upon many particulars: and in the mean time, whilst they caused him to attend their leisure to be examined, they proceeded in hastening the Earl of *Warwick* to make himself ready for the Service, who made no scruple of undertaking it; and the Earl of *Northumberland* receiving the Order, and Desire of both Houses "to grant his Commission to him to be "Admiral of that Fleet," thought himself sufficiently excused towards the King, and did it accordingly. The two Houses in the mean time, without any further thought of procuring the King's Consent, preparing reasons to satisfy his Majesty for the Necessity, or Conveniency of their proceeding.

Many Men, especially they who at a distance observed and discerned the Difficulties the King was like to Encounter, wondered that upon so apparent a breach of Trust, and act of Undutifulness, his Majesty did not at that time revoke the Lord Admiral's Commission, which was but during pleasure; and so put that sure Guard of the Kingdom, his Navy, under such a Command as he might depend upon. But the truth is, it was not Then Counselable; for (besides that it was easier to Resolve,

“ that it was fit to remove the Earl of *Northumber-*
land,” than to find a Man competent for the place)
 that way it might have been possible to have pre-
 vented the going out of any Fleet to Sea, which
 would have confirmed the frantic Jealousies of
 bringing in Foreign Forces; but not have reduced
 it to his own Obedience.

They had, by degrees, so ordered the Collection
 of Tonnage and Poundage, by passing Bills for six
 weeks and two months at a time, and putting those,
 who should Receive or Pay those Duties, otherwise
 than they were granted by those Bills, into a *Præ-*
munire; and so terrified the old Customers, that
 the King had no other means of setting out his Fleet,
 than by the Monies arising by the Customs, which
 they absolutely disposed of; and at this time had
 Contracted with the Victualler, made the Ships
 ready, and hired many Merchants Ships to join in
 that Fleet for the Guard of the Seas. And whilst
 this matter of the Admiral was in suspense, they
 suffered the former Bill of Tonnage and Poundage
 to expire, and did not, till the very Night before,
 pass a new Bill; which could not have the Royal
 Assent till many days after, the King being then at
York. Yet the House of Commons, to save all dan-
 ger of the *Præmunire*, on the 24th of *March*, being
 the very day that the former Bill expired, sent
 an Order to all the Collectors of the Customs,
 many of which could not receive it in ten days
 after;

“ That the new Bill being passed by both Houses
 “ for the continuance of those payments until the

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“ third day of *May* (which could not yet receive
 “ the Royal Assent, in regard of the remoteness of
 “ his Majesty’s Person from the Parliament) which
 “ Monies to be collected by that Bill were to be
 “ employed in the necessary Guarding of the Seas,
 “ and Defence of the Common-wealth: It was
 “ therefore ordered by the Commons in Parliament,
 “ that the several Officers belonging to the Custom-
 “ House, both in the Port in *London*, and the out-
 “ Ports, should not permit any Merchant or other
 “ to Lade, or Unlade any Goods, or Merchandizes,
 “ before such Persons do make due Entries thereof
 “ in the Custom-House. And it was declared also
 “ by the said Commons, that such Officers, upon
 “ the respective Entry made by any Merchant as
 “ aforesaid, should intimate to such Merchant, that
 “ it was the advice of the Commons, for the better
 “ ease of the said Merchants, and in regard the
 “ respective Duties would relate, and become due
 “ as from that day; that the said Merchants upon
 “ Entry of their Goods, as usually they did, when
 “ a Law was in force to that purpose, would de-
 “ posit so much Money as the several Customs
 “ would amount unto, in the hands of such Officers,
 “ to be by them accounted to his Majesty, as the
 “ respective Customs due by the said Bill, when the
 “ said Bill should have the Royal Assent; or other-
 “ wise, his Majesty refusing the passing thereof, the
 “ said Monies to be restored, upon demand, unto
 “ the several Merchants respectively.”

By which Order, which was a more absolute
 Dispensation for a *Præmunire*, than ever any *Non-*

oblante granted by the Crown, the Customs were as frankly, and fully paid, as if an Act of Parliament had been passed to that purpose; and as soon as the Commission could be sent, and returned from *York*, the Act was passed. But no doubt they had a further design in suffering the Bill totally to expire, before they prepared a new One, than at that time was apprehended; and intended, under such a Popular necessity, which seemed to be occasioned by the King's absence, to bring their own Orders in such a reputation, that in another necessity which They should Declare, they might by the Precedent of this, which was the only Indemnity all those Merchants who paid, and the Officers who received, Customs, had for the preservation, of their Estates, be currently and absolutely obeyed and submitted to.

By this it appears the King could not at that time, with conveniency or safety to his Affairs, displace the Earl of *Northumberland*; and He believed, if his occasions should Hereafter require it, that the Time would be much more seasonable, when the Fleet was at Sea; and the Thing itself more practicable: which was a true conclusion. However, he expressed so much dislike against the Earl of *Warwick's* Commanding that Fleet, that he was not willing that any Officers whom he valued, should take employment under him; which he had shortly after cause to repent. For, by this means, the Vice-Admiralty, which was designed to Captain *Cartwright*, the Controller of the Navy, who hath since sufficiently testified how advantageously to his

BOOK V. Majesty he would have managed that Charge, upon His refusal (which was occasioned by intimation from his Majesty, as shall be hereafter mentioned) was Conferred upon *Batten*, an obscure Fellow; and, though a good Sea-man, unknown to the Navy, till he was, two or three Years before, for money, made Surveyor, who executed it ever since with great animosity against the King's Service, of which more hereafter.

Being, by this means, secure at Sea, they proceeded with more Vigor at Land; and, though they thought it not Yet seasonable to execute their Ordinance for the Militia with any Form and Pomp, they directed, Underhand, their Agents and Emisfaries, "that the People, of Themselves, should
 " chuse Captains and Officers, and Train under
 " the name of Volunteers;" which begun to be practised in many places of the Kingdom, but only in those Corporations, and by those Inferior People, who were notorious for Faction, and Schism in Religion. The King's Declarations, which were now carefully published, gave them some trouble, and made great impression, in Sober Men, who were moved with the Reason, and in Rich Men, who were startled at the Commands in them. But that Clause in the King's Answer to their Declaration, presented to him at *New-Market*, in which He told them, "That if they had not been informed of the
 " seditious words used in, and the circumstances of
 " the Tumults, and would appoint some way for
 " the examination of them, that he would require
 " some of his Learned Counsel to attend with such
 " Evidence

“ Evidence as might satisfy them,” troubled them much more. For if there were still so much Courage left in the King’s Counsel, that they durst appear to inform against any of those proceedings, which They favored, they should find Men grow more afraid of the Law than of Them; which would destroy all their designs. Therefore they Resolved to proceed with all expedition, and severely against the Attorney General for his Trespas and Presumption upon their Privileges, in the Accusation of the five Members, and the Lord *Kimbolton*: of the circumstances of which Proceeding, and Judgment thereupon, being as extraordinary, and as distant from the Rules of Justice, at least of practice, as any thing that then happened, it will not be amiss to set down two or three particulars.

Shortly after they had Impeached him (which is mentioned before) and the King had found it necessary to give over any prosecution against the Others, his Majesty being desirous now he had freed Them, that they should free His Attorney, writ a Letter from *Royston*, when he was in his way to *York*, to the Lord Keeper; in which he told him, “ that the Articles, which had been preferred against the Members, were, by Himself, delivered to his Attorney General engrossed in paper; and that he had then commanded him to accuse those Persons upon those Articles of High-Treason, and other Misdemeanours; and, in His Name, to desire a Committee of Lords might be appointed to take the examination of such Witnesses as should be produced, as formerly had been done in cases of

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BOOK V. "like nature, according to the Justice of the House.
 "And his Majesty did further declare, that his said
 "Attorney did not advise or contrive the said Ar-
 "ticles, nor had any thing to do with, or in advising,
 "any breach of Privilege that followed after. And
 "for what he did in obedience to His Commands,
 "he conceived he was bound by Oath, and the duty
 "of his Place, and by the Trust reposed in him by
 "his Majesty, so to do: and that if he had refused
 "to obey his Majesty therein, his Majesty would
 "have questioned him for breach of Oath, Duty,
 "and Trust; but now having declared that he found
 "cause wholly to desist from proceeding against the
 "Persons accused, he had commanded him to pro-
 "ceed no further therein, nor to produce, nor
 "discover any Proof concerning the same."

Though this Testimony of his Majesty's clearly
 absolved him from the Guilt, with which he was
 charged, yet it rather hastened the Trial, and shar-
 pened the edge, that was before keen enough against
 him; and the day of Trial being come, when the
 Members of the Commons, who were appointed
 for the Prosecution, found that Counsel was ready
 (which had been assigned by the Lords) for the
 defence of the Attorney General, they professed,
 "that they would admit no Counsel; that it was
 "below the dignity of the House of Commons to
 "plead against Fee'd Counsel; that whoever pre-
 "sumed to be of Counsel with a Person accused by
 "the Commons of *England* should be taught better
 "to know his duty, and should have cause to repent
 "it." The Lords seemed much moved with this

reproach, that their Acts of Judicature should be questioned, and the Counsel, which had been justly, and regularly assigned by them, should be threatened for submitting to Their Order. But that which troubled them most, was, that the Counsel, which was assigned by them, upon this reprehension, and threat of the Commons, positively refused to meddle further in the business, or to make any Defence for the Attorney. Hereupon, they put off the Trial, and commit to the Tower of *London* Sir *Thomas Bedingsfield*, and Sir *Thomas Gardner*, for their contempt in refusing to be of Counsel with the Attorney upon Their Assignment: standers by looking upon the justice of Parliament with less reverence, to see the Subject, between the contradictory, and opposite Commands of both Houses (the displeasure of either being insupportable) punished and imprisoned for doing, by One, what he was straitly inhibited from doing by the Other.

However, this difference gave only respite for some days to the Attorney, who was quickly again called before his Judges. To what was passionately and unreasonably objected against him; "of breach of " Privilege and Scandal," he confidently alledged " the Duty of his place; that his Master's Command " was Warrant for what he had done; and that he " had been justly punishable if he had refused to do " it, when Commanded; that there had never been " a Pretence of Privilege in Case of Treason, the " contrary whereof was not only understood by the " Law; but had been by Themselves confessed, in " a Petition delivered by them in the beginning of

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“ this King’s Reign, upon the imprisonment of the
 “ Earl of *Arundel*; in which it was acknowledged,
 “ that the Privileges of Parliament extended not to
 “ Treason, Felony, or refusal to find Sureties for
 “ the Peace: that he had no reason to suspect the
 “ executing the Duty of his place would have been
 “ imputed to him for any Trespafs, since the very
 “ same thing he had now done, and of which he
 “ stood accused, was done, in the first year of this
 “ King’s Reign, by Sir *Robert Heath*, the then
 “ Attorney General; who exhibited Articles of
 “ High-Treason before their Lordships, against the
 “ Earl of *Bristol*, which was not then understood
 “ to be any breach of Privilege; and therefore,
 “ having so late a Precedent, most of their Lordships
 “ being then Judges, he hoped he should be held
 “ excusable for not being able to discern that to be
 “ a crime, which they had yet never declared to
 “ be so.” The undeniable reasons of his Defence
 (against which nothing was replied, “ but the in-
 “ convenience and mischief, which would attend a
 “ Parliament, if the Members might be accused of
 “ High-Treason without Their consent)” prevailed
 so far with the Major part of the House of Peers,
 though the Prosecution was carried on with all
 imaginable sharpness, and vehemence by the House
 of Commons, and entertained by those Peers, who
 were of that Party, as a matter of vast concernment
 to all their hopes, that the Questions being put,
 whether he should be deprived of his place of At-
 torney? whether he should be Fined to the King?
 whether he should pay Damages to the persons

accused? and whether he should be committed to the Tower? which were the several parts of the Sentence, which many of the Lords had pressed he should undergo, the Negative prevailed in every one of the Particulars; so that the Attorney was understood by all men, who understood the Rules and Practice of Parliament, to be absolutely absolved from that Charge and Impeachment, by the Judgment of the House of Peers.

The House of Commons expressed all possible resentment, and declared "that they would not rest satisfied with the Judgment;" and some Lords, even of those who had acquitted him, were very desirous to find out an Expedient, whereby the House of Commons might be compounded with; and it was believed, that the Attorney himself was much shaken with the torrent of Malice and Prejudice, which the House of Commons seemed now to threaten him with; conceiving, "that He and his Office now triumphed over the whole Body, and not over six Members only:" and therefore, after some days, the House of Peers considering, "that his discharge was but Negative, that he should not be punished in this and that degree; and that he had no Absolution from the crimes, with which he was charged," proceeded to a new Judgment (contrary to all course and practice of Parliament, or of any Judicial Court) and complying with all their other Votes, Resolved, by way of Judgment upon him, "that he should be disabled from ever being a Parliament-Man; incapable of any place of Judicature, or other preferment,

B O O K " than of Attorney General ;" which they could not
v. deprive him of, by reason of the former Vote : and
" that he should be committed to the Prison of the
" Fleet." Which Sentence was with all Formality
pronounced against him, and he committed to the
Fleet accordingly : with which Sentence the Com-
mons were no more satisfied than with the Former ;
some of them looking that their Favorite, the So-
licitor, should have the place of Attorney ; Others,
that the accused Members should receive ample
Damages by way of reparation ; without which
they could not think themselves secure from the
like Attempts.

Having, by this extraordinary and exemplary
proceeding, fortified their Privileges against such
Attempts, and secured their Persons from being
accused, or proceeded against by Law, they used
no less severity, against all those who presumed to
question the justice, or prudence of their Actions,
especially against those, who, following the Method
that had done so much hurt, drew the people to
Petition for that which they had no mind to grant ;
and in this prosecution they were not less severe,
and vehement, than against the highest Treason
could be imagined.

Upon the Petition mentioned before, that was
framed in *London* against their settling the Militia,
they committed one *George Binion*, a Citizen of
great reputation for Wealth and Wisdom, and who
was indeed a very sober man. After he had lain
some time in Prison, the Lords, according to Law,
bailed him ; but the Commons caused him the next

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day to be recommitted, and preferred an Impeachment against him, for no other crime but "advising" and contriving that Petition." The Gentleman defended himself, "that it was always held, and" so publicly declared this Parliament, to be Lawful, "in a modest way, to Petition for the removal, or" prevention of any grievance: that observing very "many Petitions to be delivered, and received, for" the settling the Militia, in an other way than was "then agreeable to the Law, or had been practised," and conceiving that the same would prove very "prejudicial to the City of *London*, of which he" was a Member: he had joined with many other "Citizens, of known ability and integrity, in a" Petition against so great an inconvenience; which, "he presumed, was lawful for him to do." How reasonable soever this Defence was, the House of Peers adjudged him "to be Disfranchised, and incapable of any Office in the City; to be committed" to the Common Goal of *Colchester*" (for his reputation was so great in *London*, that they would not trust him in a City-Prison) and Fined him three thousand pounds.

About the same time, at the General Assizes in *Kent*, the Justices of Peace, and principal Gentlemen of that County, prepared a Petition to be presented to the two Houses, with a desire, "that the Militia" might not be otherwise exercised in that County, "than the known Law permitted: and that the" Book of Common-Prayer, established by Law, "might be observed." This Petition was communicated by many to their Friends, and Copies

BOOK V. thereof sent abroad, before the Subscription was ready; whereupon the House of Peers took notice of it, as tending to some Commotion in *Kent*; and, in the Debate, the Earl of *Bristol* taking notice, "that he had Seen a Copy of it, and had had some conference about it with Judge *Mall*," who was then Judge of Assize in *Kent*, and newly returned out of his Circuit, both the Earl and Judge, for having but Seen the Petition, were presently committed to the Tower; and a Declaration published, "that none should presume to deliver that, or the like Petition to either House." Notwithstanding which, some Gentlemen of *Kent*, with a great number of the Substantial Inhabitants of that County, came to the City; which, upon the Alarm, was put in Arms; strong Guards placed at *London-Bridge*, where the Petitioners were disarmed, and only some few suffered to pass with their Petition to *Westminster*; the rest forced to return to their Country. And, upon the delivery thereof to the House of Commons (though the same was very modest, and in a more duriful Dialect than most Petitions delivered to them) the bringers of the Petition were sharply reprehended; two or three of them committed to several Prisons; the Principal Gentlemen of the County, who had subscribed and advised it, sent for as Delinquents; Charges, and Articles of Impeachment, drawn up against them; and a Declaration published, "that whosoever should henceforth advise, or contrive the like Petitions, should be proceeded against, as Enemies to the Common-wealth." So unlike, and different were their tempers; and

reception of those modest Addresses, which were for duty and obedience to the Laws established; and those which pressed, and brought on Alteration and Innovation. But that injustice gave great life, and encouragement to their own Profelytes; and taught Others to know that their being Innocent would not be long Easy or Safe: and this kind of Justice extended itself in the same measure to their own Members, who opposed their Irregular determinations; who, besides the agony and vexation of having the most plain reason, and confessed Law, rejected, and over-ruled with contempt and noise, were liable to all the Personal reproaches and discountenance, that the Pride and Petulancy of the other Party, could lay upon them; and were sometimes imprisoned and disgraced, for Freely speaking their Opinions, and Conscience in Debate.

All sorts of men being thus terrified, the Commons remembered, that a great Magazine of the King's Ammunition lay still at *Hull*; and though that Town was in the custody of a Confident of their own, yet they were not willing to venture so great a treasure so near the King, who continued at *York*, with a great resort of Persons of Honor and Quality from all parts; and therefore they resolved, under pretence of supplying *Ireland*, to remove it speedily from thence; and moved the Lords, "to join with them in an Order to that purpose." The Lords, who proceeded with less Fury, and more Formality, desired "that it might be done with the King's consent." After a long Debate, the one thinking they merited much by that Civility, the other

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B O O K contented to gratify those in the Ceremony, who they
V. knew, would in the end concur with them, a Petition was agreed upon to be sent to his Majesty; in which, that he might the sooner yield to them in this matter, they resolved to remember him of that, which, they thought, would reflect on him with the People, and to "move him to take off the Reprieve from the six Priests, which is before mentioned."

A Petition
 from the two
 Houses to re-
 move the
 Magazine
 from Hull.

And so they sent their Petition to him, telling him, "that they found the Stores of Arms, and Ammunition in the Tower of *London* much diminished; and that the necessity for supply of his Kingdom of *Ireland* (for which they had been issued from thence) daily increased; and that the occasion, for which the Magazine was placed at *Hull*, was now taken away; and considering it would be kept at *London* with less charge, and more safety, and transported thence with much more convenience for the service of the Kingdom of *Ireland*; they therefore humbly prayed, that his Majesty would be graciously pleased to give leave, that the said Arms, Cannon, and Ammunition, now in the Magazine of *Hull*, might be removed to the Tower of *London*, according as should be directed by both his Houses of Parliament: And whereas six Priests, then in *Newgate*, were condemned to die, and by his Majesty had been reprieved, they humbly prayed his Majesty to be pleased, that the said Reprieves might be taken off, and the Priests executed according to Law." To which Petition his Majesty immediately returned Answer in these words:

His Majesty's
 Answer.

"We rather expected, and have done long, that

" You should have given Us an account, why a B O O K
 " Garrison hath been placed in our Town of *Hull*, v.
 " without our Consent, and Soldiers Billeted there
 " against Law, and exprefs words of the Petition
 " of Right, than to be moved, for the avoiding of
 " a needless charge you have put upon yourselves, to
 " give Our Consent for the removal of Our Magazine
 " and Munition, Our own proper Goods, upon such
 " General Reasons as indeed give no satisfaction to
 " Our Judgment : And since you have made the busi-
 " ness of *Hull* your Argument, We would gladly be
 " informed, why our own inclination, on the general
 " rumor of the designs of Papists in the Northern
 " Parts, was not thought sufficient ground for us to
 " put a Person of Honor, Fortune, and unblemished
 " Reputation, into a Town and Fort of Our own,
 " where Our own Magazine lay : and yet the same
 " rumor be Warrant enough for You to commit the
 " same Town and Fort, without Our Consent, to
 " the hands of Sir *John Hotham*, with a power
 " unagreeable to the Law of the Land, or the
 " Liberty of the Subject.

" And yet of this, in point of Right, or Privilege,
 " for sure We are not without Privilege too, We
 " have not all this while complained : and being con-
 " fident that the place, whatsoever discourse there
 " is of Public or Private instructions to the contrary,
 " shall be speedily given up, if We shall require it,
 " We shall be contented to dispose our Munition
 " there, as We have done in other places, for the
 " Public ease and benefit, as upon particular advice,
 " We shall find convenient ; though We cannot

BOOK V. “ think it fit, or consent, that the whole Magazine
“ be removed together. But when you shall agree
“ upon such proportions, as shall be held necessary
“ for any particular Service, We shall sign such
“ Warrants as shall be agreeable to Wisdom and
“ Reason; and if any of them be designed for *Ulster*,
“ or *Leinster*, you know well the Conveyance will
“ be more easy and convenient from the place they
“ are Now in. Yet we must tell you, that if the Fears
“ are so great from the Papists at home, or of Fo-
“ reign Force, as is pretended, it seems strange that
“ you make not provision of Arms, and Munition,
“ for defence of this Kingdom, rather than seek to
“ carry any more from hence, without some course
“ taken for supply; especially, if you remember
“ your engagement to Our Scots Subjects, for that
“ proportion of Arms, which is contained in your
“ Treaty. We speak not this, as not thinking the
“ sending of Arms to *Ireland* very necessary, but
“ only for the Way of the provision. For You
“ know what great quantities We have Assigned out
“ of Our several Stores, which, in due time, We
“ hope, You will see replenished. For the Charge
“ of looking to the Magazine at *Hull*, as it was
“ undertaken Voluntarily by You at first, and, to
“ say no more, Unnecessarily; so You may free
“ Our good People of that Charge, and leave it to
“ Us to look to, who are the proper Owner of it.
“ And this, We hope, will give you full satisfaction
“ in this point, and that Ye do not, as you have
“ done in the business of the Militia, send this Message
“ out of Compliment and Ceremony, resolving to

“ be your Own Carvers at last. For We must tell
“ you, if any attempt shall be made or given in this
“ matter, without Our Consent or Approbation,
“ We shall esteem it as an Act of Violence against Us;
“ and declare it to all the World, as the greatest
“ Violation of Our Right, and breach of Our
“ Privilege.

“ Concerning the six Priests condemned, it is true;
“ they were Reprieved by Our Warrant, We being
“ informed that they were, by some restraint, dis-
“ abled to take the benefit of Our former Proclama-
“ tion; since that, We have issued out another, for
“ the due execution of the Laws against Papists; and
“ have most solemnly promised, in the word of a
“ King, never to pardon any Priest, without Your
“ consent, which shall be found guilty by Law;
“ desiring to banish these, having herewith sent our
“ Warrant to that purpose, if, upon second thoughts,
“ You do not disapprove thereof. But if You think
“ the Execution of these Persons so very necessary to
“ the great, and pious work of Reformation, We
“ refer it wholly to You; declaring hereby, that
“ upon such Your Resolution signified to the Minis-
“ ters of Justice, Our Warrant for their Reprieve is
“ determined, and the Law to have the course. And
“ now let Us ask you (for we are willing to husband
“ time, and to despatch as much as may be under
“ One Message; God knows the distractions of this
“ Kingdom want a present Remedy) will there
“ Never be a time to Offer to, as well as to Ask of
“ Us? We will propose no more particulars to you,
“ having no luck to please, or to be understood by

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V. “ you; take your own time for what concerns Our
“ particular: but be sure you have an early, speedy
“ Care of the Public; that is, of the only Rule that
“ preserves the Public, the Law of the Land; pre-
“ serve the Dignity and Reverence due to That. It
“ was well said in a Speech, made by a private Person;
“ it was Mr. *Pym's* Speech against the Earl of *Straf-*
“ *ford*, but published by Order of the House of
“ Commons this Parliament: the Law is that, which
“ puts a difference betwixt Good and Evil, betwixt
“ Just and Unjust. If you take away the Law, all
“ things will fall into a Confusion, every man will
“ become Law unto himself; which, in the depraved
“ Condition of Human Nature, must needs produce
“ many great enormities. Lust will become a Law;
“ and Envy will become a Law; Covetousness and
“ Ambition will become Laws; and what dictates,
“ what decisions, such Laws will produce, may
“ easily be discerned. So said that Gentleman, and
“ much more very well, in defence of the Law, and
“ against Arbitrary Power. It is worth looking over,
“ and considering: and if the most Zealous defence
“ of the true Protestant profession, and the most
“ resolved protection of the Law, be the most neces-
“ sary duty of a Prince, We cannot believe this
“ miserable distance, and misunderstanding, can
“ be long continued between us; We having often,
“ and earnestly declared them to be the chiefest
“ desires of Our Soul, and the End and Rule of all
“ Our Actions. For *Ireland*, We have sufficiently,
“ and We hope satisfactorily, expressed to all Our
“ good Subjects Our hearty sense of that sad business,

“ in Our several Messages on that Argument, but
“ especially in Our last of the eighth of this Month,
“ concerning Our Resolution for that Service; for
“ the Speedy, Honorable, and full performance
“ whereof, We conjure You to yield all possible
“ assistance, and present advice.”

This Answer was received with the usual circumstances of trouble and discontent, the taxing of evil Counsellors, and Malignant Persons about the King; and that Clause about the condemned Priests exceedingly displeased them; for by the King's reference of the matter entirely to Them, he had removed the scandal from Himself, and laid it at Their doors; and though they were well content, and desirous, that they should have been Executed by the King's Warrant for taking off his own Reprieve (whereby they should have made him retract an Act of his Own Mercy, and undeniably within his Own Power; and thereby have lessened much of the Devotion of that People to him, when they should have seen him quit his Power of preserving them in the least degree) yet, for many reasons, they were not willing to take that harsh part upon Themselves; and so those condemned Priests were no more prosecuted, and were much safer under that Reference for their Execution, than they could have been, at that time, by a Pardon under the Great Seal of *England*. For the other part of the Answer concerning the Magazine, it made no pause with them; but within few day's after, they sent a Warrant to their own Governor, Sir *John Hotham*, to deliver it; and to their own Admiral, the Earl of *Warwick*, to transport

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B O O K it to *London*; which was, notwithstanding the
V. King's inhibition, done accordingly. But they had
 at that time another Message from the King, which
 was referred to in the last Clause of that Answer, and
 came to their hands some few days before, that gave
 them some serious trouble and apprehension; the
 grounds and reasons of which were these :

The King finding, that notwithstanding all the
 professions, and protestations he could make, the
 business of *Ireland* was still unreasonably objected
 to him, as if he were not cordial in the suppressing
 that Rebellion, sent a Message to both Houses :

His Majesty's
 Message to
 both Houses,
 Apr. 8. 1642.
 offering to go
 in Person in-
 to Ireland.

“ That being grieved at the very Soul for the
 “ Calamities of his good Subjects of *Ireland*, and
 “ being most tenderly sensible of the false, and scan-
 “ dalous Reports dispersed amongst the People
 “ concerning the Rebellion there; which not only
 “ wounded his Majesty in Honor, but likewise
 “ greatly retarded the Reducing that unhappy King-
 “ dom, and multiplied the distractions at Home, by
 “ weakening the mutual confidence between Him,
 “ and his People: out of his pious Zeal to the
 “ Honor of Almighty God, in establishing the true
 “ Protestant profession in that Kingdom, and his
 “ Princely Care for the good of all his Dominions,
 “ he had firmly resolved to go with all convenient
 “ speed into *Ireland*, to chastise those wicked and
 “ detestable Rebels, odious to God, and all Good
 “ Men; thereby so to settle the Peace of that King-
 “ dom, and the Security of This, that the very
 “ Name of Fears and Jealousies might be no more
 “ heard of amongst them.

“ And

“ And He said, as he doubted not, but his Par-
 “ liament would cheerfully give all possible Assist-
 “ ance to this good Work, so he required them,
 “ and all his loving Subjects, to believe, that he
 “ would, upon those considerations, as earnestly
 “ pursue that Design, not declining any hazard of
 “ his Person in performing that duty, which he
 “ owed to the defence of God’s true Religion, and
 “ his distressed Subjects, as he Undertook it for
 “ those only ends; to the sincerity of which profes-
 “ sion, he called God to Witness, with this further
 “ assurance, that he would never consent, upon
 “ whatsoever pretence, to a Toleration of the Popish
 “ profession there, or the abolition of the Laws
 “ now in force against Popish Recusants in that
 “ Kingdom.

“ His Majesty further advertised them, that,
 “ towards this Work, he intended to raise forthwith,
 “ by his Commissions, in the Counties near *West-*
 “ *Chester*, a Guard for his own Person (when he
 “ should come into *Ireland*) consisting of two thou-
 “ sand Foot, and two hundred Horse, which should
 “ be Armed at *West-Chester*, from his Magazine at
 “ *Hull*; at which time, he said, all the Officers, and
 “ Soldiers, should take the Oaths of Supremacy,
 “ and Allegiance; the Charge of raising and paying
 “ whereof, he desired the Parliament to add to their
 “ former Undertakings for that War; which he
 “ would not only well accept, but, if their Pay
 “ should be found too great a burden to his good
 “ Subjects, he would be willing, by the advice of
 “ his Parliament, to sell, or pawn, any of his Parks,

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“ Lands, or Houses, towards the supplies of the
 “ Service of *Ireland*. With the addition of these
 “ Levies to the former of *English* and *Scots*, agreed
 “ upon in Parliament, he said, he hoped so to appear
 “ in that Action, that by the Assistance of Almighty
 “ God, that Kingdom, in a short time, might be
 “ wholly reduced, and restored to Peace, and some
 “ measure of Happiness; whereby he might cheer-
 “ fully return, to be welcomed Home with the affec-
 “ tions and blessings of all his good *English* People.
 “ Towards this good Work, he said, as he had
 “ lately made despatches into *Scotland*, to quicken
 “ the Levies there for *Ulster*, so he heartily wished,
 “ that his Parliament would give all possible expe-
 “ dition to those, which they had Resolved for
 “ *Munster* and *Connaught*; and hoped the encourage-
 “ ment, which the Adventurers, of whose interests
 “ he would be always very careful, would hereby
 “ receive, would raise full Sums of Money for the
 “ doing thereof. He told them, that out of his
 “ earnest desire to remove all occasions, which did
 “ unhappily multiply misunderstandings between
 “ him and his Parliament, he had likewise prepared
 “ a Bill to be offered to them by his Attorney con-
 “ cerning the Militia; whereby he hoped, the Peace
 “ and Safety of the Kingdom might be fully secured
 “ to the general satisfaction of all men, without
 “ Violation of his Majesty's Just Rights, or preju-
 “ dice to the Liberty of the Subject. If this should
 “ be thankfully received, he said, he should be
 “ glad of it; if refused, he must call God, and all
 “ the World, to judge on Whose part the default

“ was ; only he required, if the Bill should be ap- B O O K
 “ proved of, that if any Corporations should make V.
 “ their Lawful Rights appear, they might be re-
 “ served to them. He said, before he would part
 “ from *England*, he would take all due care to
 “ intrust such Persons with such Authority in his
 “ absence, as he should find to be requisite for the
 “ Peace and Safety of the Kingdom, and the happy
 “ progress of the Parliament.”

They neither before nor after ever received any
 Message from his Majesty, that more discomposed
 them; and so much the more, because that which
 gave them most Umbrage, could not be publicly
 and safely avowed by them. For though, to those
 who had a due reverence to the King's Person, and
 an impatient desire, that all misunderstandings might
 be composed, they urged “ the hazard, and danger
 “ to his Majesty's Person, in such an Expedition,
 “ and the increase of Jealousies and Distractions,
 “ that would ensue in this Kingdom by his Ab-
 “ sence;” and to others, who from the barbarity,
 inhumanity, and unheard of cruelty, exercised by
 the Rebels in *Ireland* upon the *English* Protestants
 (of which they every day received fresh and bleed-
 ing evidence) had contracted a great animosity
 against that whole Nation, and were persuaded that
 the work of Extirpation was not so difficult as in
 truth it was; and to the Adventurers, who had dis-
 bursed great sums of Money, and had digested a
 full Assurance of Ample Recompence by Confisca-
 tions, and Forfeitures; “ that by this Voyage of
 “ the King, a Peace would be in a short time con-

BOOK V. “cluded in that Kingdom, to their great disadvantage and damage;” yet the true Reasons, which surprised and startled them, were, that hereby the managing the War of *Ireland* would be taken out of their hands; and so, instead of having a Nursery for Soldiers of their Own, which they might employ as they saw occasion; and a power of raising what Money they pleased in this Kingdom under that Title, which they might dispose, as they found most fit for their affairs; the King would probably in a short time recover One entire Kingdom to his Obedience, by which he might be able to preserve the Peace of the other Two. However, working by several impressions upon several Affections, they found it no difficult thing to persuade, almost an Unanimous, aversion from approving the Journey; they who usually opposed their advice, not enduring to think of staying in *England*, where the power, at least for a time, would be in Them, whose Government, they knew, would be terrible when his Majesty should be in *Ireland*. Upon this they despatched a Magisterial Answer to the King, in which they told him;

The Answer
of both Houses
to his Majesty's
Message of his
going in Person
into *Ireland*.
1642. Apr.
22. 1642.

“That the Lords and Commons in Parliament,
“had duly considered the Message, received from
“his Majesty, concerning his purpose of going into
“*Ireland* in his Own Person to prosecute the War
“there, with the bodies of his *English* Subjects,
“Levied, Transported, and maintained at their
“Charge, which he was pleased to propound to
“them, not as a matter wherein he desired the
“advice of his Parliament, but as already firmly

“ Resolved on, and forthwith to be put in Execution, by granting out Commissions for the Levying of two thousand Foot, and two hundred Horfe, for a Guard for his Perfon, when he should come into that Kingdom; wherein, they said, they could not but, with all reverence and humility to his Majesty, obferve, that he had declined his Great Council, the Parliament, and varied from the usual Courfe of his Royal Predecessors; that a business of fo great Importance concerning the Peace and Safety of all his Subjects, and wherein they have a fpecial interest, by his Majesty’s promise, and by those great fums, which they had difburfed, and for which they stood engaged, should be concluded, and undertaken without their advice: whereupon, they said, they held it their duty to declare, that if, at that time, his Majesty should go into *Ireland*, he would very much endanger the safety of his Royal Perfon, and Kingdoms, and of all other States professing the Protestant Religion in *Christendom*, and make way to the execution of that cruel, and bloody design of the Papists, every where to root out and destroy the Reformed Religion; as the *Irish* Papists had already, in a great part, effected in that Kingdom; and, in all likeli hood, would quickly be attempted in other places, if the consideration of the strength, and union of the two Nations of *England* and *Scotland*, did not much hinder, and discourage the execution of any such design. And that they might manifest to his Majesty the danger and misery, which such a

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“ Journey and Enterprife would produce, they presented to his Majesty the reasons of that their humble opinion and advice :

1. “ His Royal Person would be subject, not only to the casualty of War, but to secret Practices and Conspiracies; especially his Majesty continuing his profession to maintain the Protestant Religion in that Kingdom, which the Papists were generally bound by their vow to extirpate.

2. “ It would exceedingly encourage the Rebels; who did generally profess and declare, that his Majesty did favor and allow their proceedings, and that this Insurrection was undertaken by the Warrant of his Commission; and it would make good their expectation of great advantage, by his Majesty's presence at that time; of so much distraction in this Kingdom, whereby they might hope the two Houses of Parliament would be disabled to supply the War there, especially there appearing less necessity of his Majesty's Journey at that time, by reason of the manifold Successes, which God had given against them.

3. “ It would much hinder, and impair the means whereby the War was to be Supported, and increase the Charge of it, and in both these respects make it more insupportable to the Subject; and this, they said, they could confidently affirm; because many of the Adventurers, who had already subscribed, did, upon the knowledge of his Majesty's intention, declare their Resolution not to pay in their Money; and others, very willing to have subscribed, do Now profess the contrary.

4. " His Majesty's absence must necessarily very
 " much interrupt the proceedings of Parliament;
 " and deprive his Subjects of the benefit of those
 " further Acts of Grace and Justice, which they
 " should humbly expect from his Majesty for the
 " establishing a perfect Union, and mutual Confi-
 " dence between his Majesty and his People, and
 " procuring, and confirming the prosperity, and
 " happiness of both. B O O K V.

5. " It would exceedingly increase the Fears and
 " Jealousies of his People; and render their doubts
 " more probable, of some Force intended, by some
 " evil Counsels near his Majesty, in opposition of
 " the Parliament, and favor of the Malignant Party
 " of this Kingdom.

6. " It would bereave his Parliament of that ad-
 " vantage, whereby they were induced to under-
 " take that War, upon his Majesty's promise that
 " it should be managed by Their advice; which
 " could not be done, if his Majesty, contrary to
 " their Counsels, should undertake to order, and
 " govern it in his own Person.

" Upon which, and divers other reasons, they
 " said, they had Resolved, by the full and con-
 " current Agreement of both Houses, that they
 " could not, with discharge of their duty, consent
 " to any Levies or raising of Soldiers to be made
 " by his Majesty, for that his intended expedition
 " into *Ireland*; or to the payment of any Army, or
 " Soldiers there, but such as should be employed,
 " and governed according to their advice, and di-
 " rection: and that, if such Levies should be made

B O O K V. " by any Commission of his Majesty's, not agreed
 " to by both Houses of Parliament, they should be
 " forced to interpret the same to be raised to the
 " Terror of his People, and Disturbance of the
 " Public Peace; and did hold themselves bound,
 " by the Laws of the Kingdom, to apply the Au-
 " thority of Parliament to suppress the same.

" And, they said, they did further most humbly
 " declare, that if his Majesty should by ill Counsel
 " be persuaded to go, contrary to that advice of his
 " Parliament (which they hoped his Majesty would
 " not) they did not, in that case, hold themselves
 " bound to submit to any Commissioners, which
 " his Majesty should chuse; but did Resolve to
 " Preserve and Govern the Kingdom, by the
 " Counsel and Advice of Parliament, for his Ma-
 " jesty and his Posterity, according to their Alle-
 " giance, and the Law of the Land: wherefore,
 " they did most humbly pray, and advise his Ma-
 " jesty, to desist from that his intended passage into
 " *Ireland*, and from all preparation of Men and
 " Arms tending thereunto; and to leave the mana-
 " ging of that War to his Parliament, according to
 " his promise made unto them, and his Commission
 " granted under his Great Seal of *England*, by
 " advice of both Houses; in prosecution whereof,
 " by God's blessing, they had already made a prof-
 " perous entrance, by many defeats of the Rebels,
 " whereby they were much weakened and disheart-
 " ened; and had no probable means of subsistence,
 " if the proceedings of the two Houses were not
 " interrupted by that interposition of his Majesty's

" Journey: but they hoped, upon good grounds, B O O K
 " that, within a short time, without hazard of his V.
 " Person, and so much dangerous confusion in his
 " Kingdoms, which must needs ensue, if he should
 " proceed in that resolution, they should be enabled
 " fully to vindicate his Majesty's Right, and Au-
 " thority in that Kingdom; and punish those horri-
 " ble, outrageous cruelties, which had been com-
 " mitted in the murdering, and spoiling so many
 " of his Subjects; and to bring that Realm to such
 " a condition, as might be much to the Advantage
 " of his Majesty and the Crown, and the Honor
 " of his Government, and Contentment of his
 " People: for the better and more speedy effecting
 " whereof, they did again renew their humble de-
 " sires of his return to his Parliament; and that he
 " would please to reject all Counsels, and Appre-
 " hensions, which might any way derogate from
 " that faithfulness, and Allegiance, which, in
 " truth and sincerity, they had always born and
 " professed to his Majesty, and should ever make
 " good, to the uttermost, with their Lives and
 " Fortunes."

To this Petition (the Matter whereof finding a
 general concurrence, there was the less debate, and
 contradiction upon the Manner of Expression) being
 sent to the King to *York*; and, in the mean time, all
 preparations being suspended for the necessary relief
 for *Ireland*, inasmuch as with the Votes (which
 were presently printed) against the King's Journey,
 there was likewise an Order printed to discourage
 the Adventurers from bringing in their Money;

B O O K the which, though it had no approbation from either
v. House, and seemed to be angrily interpreted by them, and the Printer was ordered to be found out and punished, yet did wholly stop that Service; and by the no-inquiry, or punishment of that boldness, appeared to be done by design) his Majesty speedily returned this Answer.

*The King's
 Reply touch-
 ing his going
 into Ireland.*

“ That he was so troubled, and astonished to find
 “ that unexpected reception, and misunderstanding
 “ of his Message concerning his Irish Journey, that
 “ (being so much disappointed of the Approbation,
 “ and thanks he looked for to that Declaration) he
 “ had great cause to doubt, whether it were in his
 “ power, to Say, or Do any thing, which would
 “ not fall within the like interpretation: but he said,
 “ as he had, in that Message, called God to Wit-
 “ ness the sincerity of the profession of his only ends
 “ for the undertaking that Journey; so he must
 “ Appeal to all his good Subjects, and the whole
 “ world, whether the reasons alledged against that
 “ Journey, were of Weight to satisfy his under-
 “ standing; or the Counsel, presented to dissuade
 “ him from it, were full of that Duty, as was like
 “ to prevail over his Affections. For the resolving
 “ of so great a business without the Advice of his
 “ Parliament, he said, he must remember them,
 “ how often, by his Message, he made the same
 “ offer, if They should advise him thereunto; to
 “ which they never gave him the least Answer; but,
 “ in their late Declaration, told him, that they
 “ were not to be satisfied with Words: so that he
 “ had reason to conceive, they rather avoided, out

“ of regard to his Person, to give him Counsel to
 “ run that hazard, than that they disapproved the
 “ inclination. And, he asked them, what greater
 “ comfort, or security the Protestants of *Christendom*
 “ could receive, than by seeing a Protestant King
 “ venture, and engage his Person for the Defence
 “ of That Religion, and the Suppression of Popery ?
 “ to which he solemnly protested, in that Message,
 “ never to grant a Toleration, upon what pretence
 “ soever, or any abolition of any of the Laws There
 “ in force against the Professors of it. And, he
 “ said, when he considered the great calamities,
 “ and unheard of cruelties, his poor Protestant Sub-
 “ jects in that Kingdom had undergone for the space
 “ of near, or full six Months; the growth and in-
 “ crease of the strength of those barbarous Rebels;
 “ and the evident probability of foreign supplies,
 “ if they were not speedily suppressed; the very
 “ slow succours hitherto sent them from hence: that
 “ the Officers of several Regiments, who had long
 “ time been allow’d entertainment from them for
 “ that Service, had not raised any supply, or suc-
 “ cour for that Kingdom; that many Troops of
 “ Horse had long lain near *Chester* untransported;
 “ that the Lord Lieutenant of *Ireland*, on whom
 “ he relied principally for the conduct, and manag-
 “ ing of Affairs there, was still in this Kingdom,
 “ notwithstanding his Majesty’s earnestness expres-
 “ sed, that he should repair to his Command: and
 “ when he considered the many and great scandāls
 “ raised upon himself by report of the Rebels, and
 “ not sufficiently discountenanced Here, notwith-

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“ standing so many professions of his Majesty; and
“ had seen a Book, lately printed by the Order of
“ the House of Commons, entitled a Remonstrance
“ of divers remarkable passages concerning the
“ Church and Kingdom of *Ireland*, wherein some
“ Examinations were set down (how improbable
“ or impossible soever) which might make an im-
“ pression in the minds of many of his weak Subjects;
“ And lastly, when he had duely weighed the dis-
“ honor that would perpetually lie upon this King-
“ dom, if full and speedy relief were not despatched
“ thither; his Majesty could not think of a better
“ way to discharge his Duty to Almighty God, for
“ the defence of the true Protestant Religion, or
“ to manifest his Affection to his three Kingdoms,
“ for their preservation, than by engaging his Per-
“ son in that expedition, as many of his Royal
“ Progenitors had done, even in Foreign Parts,
“ upon causes of Less importance and piety, with
“ great Honor to themselves, and Advantage to
“ this Kingdom. And therefore, he expected at least
“ Thanks for such his inclination.

“ For the danger to his Person, he said, he con-
“ ceived it necessary, and worthy of a King, to
“ adventure his Life to preserve his Kingdoms; nei-
“ ther could it be imagined that he would sit still,
“ and suffer his Kingdoms to be lost, and his good
“ Protestant Subjects to be Massacred, without ex-
“ posing his own Person to the utmost hazard for
“ their relief and preservation; his life, when it
“ was most pleasant, being nothing so precious to
“ him, as it was, and should be, to govern and pre-
“ serve his People with Honor, and justice.

“ For any encouragement to the Rebels, because
“ of the Reports they raised, he said, he could not
“ conceive, that the Rebels were capable of a greater
“ terror, than by the Presence of their Lawful
“ King, in the head of an Army, to chastise them.
“ Besides, it would be an unspeakable advantage
“ to them, if any report of Theirs could hinder
“ him from doing any thing, which were fit for
“ him to do, if such report were not raised: that
“ would quickly teach them, in this Jealous age,
“ to prevent, by such reports, any other Persons
“ coming against them, whom they had no mind
“ should be employed.

“ He told them, that he marvelled, that the Ad-
“ venturers, whose advantage was a principal mo-
“ tive (next the reasons before mentioned) to him,
“ should so much mistake his purpose; whose interest
“ he conceived must be much improved by the
“ expedition he hoped, by God’s blessing, to use
“ in that Service; that being the most probable way
“ for the speedy Conquest of the Rebels, their
“ Lands were sufficiently secured by Act of Par-
“ liament.

“ He told them, he thought himself not kindly
“ used, that the addition of so few Men to their
“ Levies (for a Guard to his Person in *Ireland*)
“ should be thought fit for their refusal; and much
“ more, that having used so many cautions in that
“ Message, both in the smallness of the number; in
“ his having raised none, until their Answer; in
“ their being to be raised only near the place of ship-
“ ping; in their being There to be armed, and that

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“ not till they were ready to be shipped; in the
“ provision, by the Oaths, that none of them should
“ be Papists (all which were sufficient to destroy
“ all grounds of Jealousy of any Force intended by
“ them in opposition to the Parliament, or favor
“ to any Malignant Party) any Suspicion should,
“ notwithstanding, be grounded upon it.

“ Neither, he said, could it be understood, that
“ when he recommended the managing of that War
“ to Them, he intended to exclude Himself, or not
“ to be concerned in their Counsels, that if he found
“ any Expedient (which, in his conscience and
“ understanding, he thought necessary for that great
“ work) he might not put it in practice. He told
“ them, he looked upon them as his great Council,
“ whose advice he always had, and would, with
“ great regard and deliberation, weigh and consider;
“ but he looked upon himself as neither deprived
“ of his Understanding, or divested of any Right
“ he had, if there were no Parliament sitting. He
“ said, he called them together, by his own Writ
“ and Authority (without which they could not
“ have met) to give him faithful Counsel about his
“ Great Affairs; but he resigned not up his own
“ Interest, and Freedom; he never subjected himself
“ to Their absolute Determination; He had always
“ weighed their Counsels, as proceeding from a
“ Body intrusted by him; and when he had dissented
“ from them, he had returned them the reasons,
“ which had prevailed with his conscience and un-
“ derstanding, with that Candor, which a Prince
“ should use towards his Subjects, and that Affection,

“ which a Father could exprefs to his Children. B O O K
“ What application had been used to rectify his V.
“ Understanding by Reafons, or what Motives had
“ been given to perfuade his Affections, he would
“ leave all the world to judge. And then, he faid,
“ he muft tell them, howfoever a Major part might
“ bind Them in matter of opinion, he held Himfelf
“ (and he was fure the Law and Conftitution of the
“ Kingdom had always held the fame) as free to
“ difsent, till his Reafon was convinced, for the
“ General Good, as if they had delivered No
“ opinion.

“ For his Journey itfelf, he told them the circum-
“ ftances of their Petition were fuch, as he knew
“ not well what Answer to return, or whether he
“ were beft to give Any; that part which pretended
“ to carry Reafon with it, did no way fatisfy him;
“ the Other, which was rather Reprehenfion and
“ Menace, than Advice, could not flagger him.
“ His Answer therefore was, that he fhould be very
“ glad to find the work of *Ireland* fo eafy, as they
“ feemed to think it; which did not fo appear by
“ any thing known to him, when he fent his Mef-
“ fage: and though he would never refufe, or be
“ unwilling, to venture his Perfon, for the Good
“ and Safety of his People, he was not fo weary of
“ his life, as to hazard it Impertinently; and there-
“ fore, fince they feemed to have received Adver-
“ tifements of fome late, and great fuccesses in that
“ Kingdom, he would ftay fome time to fee the
“ event of thofe, and not purfue his refolution till
“ he had given them a Second notice: but, if he

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“ found the miserable condition of his poor Subjects
 “ of that Kingdom were not speedily relieved, he
 “ would, with God’s Assistance, visit them with
 “ such Succours, as his Particular credit and interest
 “ could supply him with, if They refused to Join
 “ with him. And he doubted not but the Levies
 “ he should make (in which he would observe
 “ punctually the former, and all other cautions, as
 “ might best prevent all Fears and Jealousies; and
 “ to use no Power but what was Legal) would be
 “ so much to the satisfaction of his Subjects, as no
 “ person would dare presume to resist his Commands;
 “ and if they should, at their Peril be it. In the
 “ mean time, he hoped his forwardness, so remark-
 “ able to that Service, should be notorious to all the
 “ world; and that all scandals, laid on him in that
 “ business, should be clearly wiped away.

“ He told them, he had been so careful that his
 “ Journey into *Ireland* should not interrupt the pro-
 “ ceedings of Parliament, nor deprive his Subjects
 “ of any Acts of Justice, or further Acts of Grace
 “ for the real benefit of his People, that he had made
 “ a free offer of leaving such power behind, as should
 “ not only be necessary for the Peace and Safety of
 “ the Kingdom, but fully provide for the happy
 “ progress of the Parliament: and therefore he could
 “ not but wonder, since such power had been always
 “ left here, by Commission, for the Government
 “ of this Kingdom, when his Progenitors had been
 “ out of the same, during the sitting of Parliaments;
 “ and since Themselves desired that such a power
 “ might be left here by his Majesty, at his last going
 “ into

“ into *Scotland*; what Law of the Land they had
 “ now found to dispense with them from submitting
 “ to such Authority, legally derived from him, in
 “ his absence; and to enable them to govern the
 “ Kingdom by their Own mere Authority.

“ For his return to *London*, he said, he had given
 “ them so full Answers in his late Declaration, and
 “ Answers that he knew not what to add to, if they
 “ would not provide for his security with them,
 “ nor agree to remove to another place, were there
 “ might not be the same danger to his Majesty.
 “ He told them, he expected, that (since he had
 “ been so particular in the causes and grounds of
 “ his Fears) they should have sent him word, that
 “ they had published such Declarations against fu-
 “ ture Tumults and unlawful Assemblies, and taken
 “ such Courses for the suppressing seditious Pam-
 “ phlets and Sermons, that his Fears of that kind
 “ might be laid aside, before they should press his
 “ return.

“ To conclude, he told them, he could wish,
 “ that they would, with the same strictness and
 “ severity, weigh and examine their Messages, and
 “ Expressions To him, as they did those they re-
 “ ceived From him. For he was very confident,
 “ that if they examined his Rights and Privileges,
 “ by what His Predecessors had enjoyed; and their
 “ own Addresses, by the usual courses observed by
 “ Their Ancestors; they would find many expres-
 “ sions in that Petition, warranted only by their
 “ own Authority; which indeed he forbore to take
 “ notice of, or to give Answer to, lest he should

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“ be tempted, in a just indignation, to express a
 “ greater passion, than he was Yet willing to put
 “ on. God in his good time, he hoped, would so
 “ inform the hearts of all his Subjects, that he should
 “ recover from the mischief, and danger of that
 “ distemper; on whose good pleasure, he said, he
 “ would wait with all patience, and humility.”

From this time the purpose was never resumed,
 of his Majesty's personal expedition into *Ireland*,
 and so They were freed from that apprehension. The
 truth is, that Counsel for his Majesty's Journey into
Ireland was very suddenly taken, and communicated
 to very few, without consideration of the objections,
 that would naturally arise against it; and was rather
 resolved as a probable Stratagem, to compose the
 two Houses to a better temper and sobriety, upon
 the Apprehension of the King's absence from them,
 and the inconveniencies that might thence ensue,
 than sufficiently considered and digested for Execu-
 cution. For none were more violent against it than
 they who served the King most faithfully in the
 Houses; who, in the King's absence, and after such
 a Grant of the Militia, as was then offered, looked
 upon themselves as sacrificed to the pride and fury
 of those, whose inclinations, and temper had begot
 the Confusions they complained of. But if it had
 been so duely weighed and consulted, and Men so
 disposed, that it might have been Executed, and
 the King had taken a fit Council, and Retinue about
 him, it would, at that time, have been no hard
 matter speedily to have reduced *Ireland*; and by
 the reputation, and authority of That, the other

two Kingdoms might have been contained within their proper bounds. But, as it fell out, the Overture proved Disadvantageous to the King, and gave the other Party New cause of Triumph, that they had plainly Threatened him out of what He pretended to have firmly resolved to do; which disadvantage was improved by the Other Proposition, that attended it, concerning the Militia. For the Bill, sent by the King upon that Argument, brought the business again into Debate; and, though nothing was concluded upon it, the King was a loser by the Proposition, though not so much as he feared he should have been, when he saw his Journey into *Ireland* desperate; upon the supposition of which, he had only made that tender.

The Bill sent by the King, and preferred to the House of Peers, by the Attorney General, granted the Militia, for one year, to the persons first nominated by the Houses in their Ordinances to his Majesty; and made those persons, in the Execution of that Trust, subject to the Authority of his Majesty, and the two Houses Jointly, whilst his Majesty was within the Kingdom; and, in his absence, of the two Houses Only. What alterations, and amendments they made in it before they returned it again for the Royal Assent, will best appear by the King's Answer, which he sent to them at the time of his refusal to pass it; which was,

" That he had, with great deliberation and patience, weighed and considered (as it concerned him much to weigh the consequences of every Law before he passed it) their Bill lately sent to

His Majesty's
Message to
both Houses
Apr. 28.
1642. c. 99.

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cerning his
refusal to
pass the Bill
for the Mi-
litia.

“ him for the settling the Militia; and though it had
 “ not been usual to give any reason for the refusal
 “ to pass any Bill, it being absolutely in his power
 “ to pass, or not to pass any Act sent to him, if he
 “ conceived it prejudicial to himself, or inconvenient
 “ to his Subjects, for whom he was trusted, and
 “ must one day give an account; yet, in that business
 “ of the Militia, which, being misunderstood amongst
 “ his good Subjects, had been used as an Argument,
 “ as if he were not Vigilant enough for the public
 “ safety, and lest he should be thought less Constant
 “ in his resolutions, and that Bill to be the same he
 “ had sent to them, he thought fit to give them,
 “ and all the world, particular satisfaction; why
 “ he Could not, Ought not, Must no pass That
 “ Bill, being the first public Bill he had refused this
 “ Parliament: and therefore, he told them, he must
 “ complain, that having expressed himself so clearly
 “ and particularly to them in that point, they
 “ should press any thing upon him, which they
 “ could not but foresee he must refuse; except he
 “ departed from those resolutions, grounded upon
 “ so much reason, he had so earnestly before ac-
 “ quainted them with, and against which they had
 “ not given one Argument to satisfy his judgment.
 “ He told them, he was pleased, they had de-
 “ clined the Unwarrantable course of their Ordi-
 “ nance (to the which, he was confident, his good
 “ Subjects would never have yielded their consent)
 “ and chosen that only right way of imposing upon
 “ the People, which he would have allowed but
 “ for the Reasons following:

“ He said, he had refused to consent to their Or-
 “ dinance, as for other things, so for that the power
 “ was put into the Persons Nominated therein by
 “ direction of both Houses of Parliament, excluding
 “ his Majesty from any power in the disposition,
 “ or execution of it together with them: He had
 “ then advised them, for many Reasons, that a Bill
 “ should be prepared; and after in his Answer of
 “ the 26th of *March* to the Petition of both Houses,
 “ he had told them, if such a Bill should be prepared
 “ with that due regard to his Majesty, and care of
 “ his People, in the limitation of the power, and
 “ other circumstances, he should recede from no-
 “ thing he formerly expressed.

“ What passed (enough to have discouraged him
 “ from being further Solicitous in that Argument)
 “ after his full, and gracious Answers, he was con-
 “ tent to forget. When he resolved on his Journey
 “ into *Ireland*, so that by reason of his absence,
 “ there might be no want of settling that power; be-
 “ sides complying with their Fears; he sent, toge-
 “ ther with a Message of that his purpose, a Bill
 “ for settling the power for a Year; hoping in that
 “ time to return to them, and being sure that, in
 “ much less time, they might do the business, for
 “ which at first they seemed to desire this; which
 “ was, that they might securely consider his Message
 “ of the 20th of *January* last. By that Bill, which
 “ he sent, he consented to those Names they pro-
 “ posed to their Ordinance, and in the limitation of
 “ the power; provided, that himself should not be
 “ able to execute any thing but by their advice;

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“ and, when he should be out of the Kingdom, the
“ Sole Execution to be in Them; with many other
“ things, of so Arbitrary, and Uncircumscribed a
“ power, that he should not have consented to, but
“ with reference to the absence of his own Person
“ out of the Kingdom; and thought it the more
“ sufferable, in respect the time was but for a Year.
“ Whether that Bill, they had sent to him to pass,
“ were the same, the World would judge.

“ He said, they had, by that Bill tendered to his
“ Majesty, without taking notice of him, put the
“ Power of the whole Kingdom, the Life and Li-
“ berties of the Subjects of all degrees, and qualities,
“ into the hands of Particular Men, for two Years:
“ He asked them, if they could imagine he would
“ trust such an Absolute Power in the hands of
“ Particular Persons, which he had refused to
“ commit to both Houses of Parliament? Nay, if
“ the Power itself were not too Absolute, too Un-
“ limited to be committed into any Private Hands?
“ Whether Sir *John Hotham's* high Insolence showed
“ him not, what he might expect from an Exor-
“ bitant Legal Power, when he, by a Power not
“ warrantable by Law; durst venture upon a Treasonable disobedience? but his Majesty would
“ willingly know, and indeed such an account in
“ ordinary Civility, he said, he might have expected, why he was, by that Act, absolutely
“ Excluded, from any Power, or Authority, in
“ the Execution of the Militia. He said, sure their
“ Fears and Jealousies were not of such a Nature,
“ as were capable of no other remedy, than by

“ leaving him no Power in a point of the greatest
 “ Importance; in which God, and the Law, had
 “ trusted him Solely, and which he had been con-
 “ tented to Share with them by his own Bill, by
 “ putting it, and a Greater, into the hands of par-
 “ ticular Subjects. He asked them, what all Christian
 “ Princes would think of him, after he had passed,
 “ such a Bill? How they would value his Sover-
 “ eignty? And yet, he said, sure His Reputation
 “ with Foreign Princes was some ground of Their
 “ Security. Nay, he was confident, by that time
 “ they had thoroughly considered the possible con-
 “ sequence of that Bill, upon Themselves, and the
 “ rest of his good Subjects, they would All give him
 “ Thanks for Not consenting to it; finding their
 “ condition, if it should have passed, would not
 “ have been so pleasing to them. He told them, he
 “ hoped that Animadversion would be no breach
 “ of their Privileges. In that throng of business and
 “ distemper of affections, it was possible, Second
 “ thoughts might present somewhat to their con-
 “ siderations, which escaped them before.

“ He remembered them, that he had passed a Bill,
 “ this Parliament, at their entreaty, concerning the
 “ captives of *Algiers*, and waved many objections
 “ of his own to the contrary, upon information that
 “ the business had been many Months considered
 “ by them; whether it proved suitable to their in-
 “ tentions, or whether they had not, by some
 “ private Orders, suspended that Act of Parliament
 “ upon view of the mistakes, Themselves best knew;
 “ as likewise, what other great Alterations they had

B O O K " made upon other bills, passed this Session. He told
 V. " them, he could not pass over the putting Their
 " Names out of that Bill, whom before they had
 " recommended to him in their Ordinance, not
 " thinking fit, it seemed, to trust those who would
 " obey no Guide but the Law of the Land (he
 " Imagined they would not wish he should in his
 " estimation of others follow that their Rule) and
 " the leaving out, by special provision, the present
 " Lord Mayor of *London*, as a person in their dis-
 " favor; whereas, he said, he must tell them, his
 " demeanour had been such, that the City, and
 " the whole Kingdom, was beholden to him for
 " his example.

" To conclude, he said, he did not find himself
 " possessed of such an Excess of power, that it was
 " fit to transfer, or consent it should be in other
 " Persons, as was directed by that Bill; and there-
 " fore, he should rely upon that Royal right and
 " jurisdiction, which God, and the Law had given
 " him, for the suppressing of Rebellion, and resisting
 " Foreign Invasion; which had preserved the King-
 " dom in the time of all his Ancestors, and which,
 " he doubted not, but he should be able to execute.
 " And, not more for his own honor and right, than
 " for the liberty and safety of his People, he could
 " not consent to pass that Bill."

Though no sober man could deny the reasonable-
 ness of that Answer, and that there was indeed so
 great a difference between the Bill sent by his
 Majesty, and that presented to him from the two
 Houses, that it could not soberly be imagined he

would consent to it; yet, it had been better for his Majesty, that the first Overture from himself had never been made; it giving New life, spirit, and hopes to them; and they making the People believe (who understood not the difference, and knew not the King's pleasure, signified by both Houses of Parliament, was in effect the pleasure of both Houses without the King) that his Majesty now refused to consent to what himself had offered; whilst his own Party (for so those begun now to be called, who preserved their Duty, and Allegiance entire) was as much troubled to find so Sovereign a power of the Crown offered to be parted with to the two Houses, as was tendered to them by the King's own Bill; and that it was possible for his Majesty to recede from his firmest Resolves, even in a point, that would not naturally admit of the least division, or diminution.

The King, being well pleased that he had gone through one of his resolutions, and not much troubled at the anger it had produced, and finding his Court full of Persons of Quality of the Country, who made all expressions of affection and duty, which they thought would be most acceptable to him, resolved to undertake another enterprise, which was of more importance, and which in truth was the sole motive of his Journey into those parts. The great Magazine of Arms and Ammunition, which was left upon the disbanding the Army, remained still at *Hull*, and was a nobler proportion than remained in the Tower of *London*, or all other his Majesty's Stores; and there had been formerly a purpose to have

B O O K V. secured the same by the Earl of *Newcastle's* presence there, which had been disappointed, as hath been before mentioned, and Sir *John Hotham* sent thither to look to it: who was now there only with One of the Companies of the Trained bands; and so the King resolved that he would Himself make a Journey thither, with his own Usual Train; and being there, that he would stay there, till he had secured the place to him. This was his purpose; which he concealed to that degree, that very few about him knew any thing of it.

As soon as it was known that his Majesty meant to reside in *York*, it was easily suspected, that he had an eye upon That Magazine; and therefore they made an Order in both Houses, "that the Magazine should be removed from *Hull* to the Tower;" and Ships were making ready for the Transportation; so that his Majesty could no longer defer the execution of what he designed. And, being persuaded, by some who believed themselves, that if he went thither, it would neither be in Sir *John Hotham's* Will, nor his Power, to keep him out of that Town; and that, being possessed of so considerable a Post, and of the Magazine there, he should find, a better temper towards a Modest, and Dutiful Treaty; his Majesty took the opportunity of a Petition presented to him by the Gentlemen of *Yorkshire* (who in truth were much troubled at the Order for removing the Magazine from *Hull*; and were ready to appear in any thing for his Service) in which, "they desired him to cast his eye, and thoughts upon the safety of his own Person, and his Princely Issue, and

“ that whole County; a great means whereof, they
 “ said, did consist in the Arms, and Ammunition
 “ at *Hull*, placed there by his Princely care and
 “ charge; and since, upon general apprehensions of
 “ dangers from foreign parts, thought fit to be
 “ continued: and they did very earnestly beseech
 “ him, that he would take such course, that it might
 “ still remain there, for the better securing those,
 “ and the rest of the Northern parts.” Hereupon,
 he resolved to go thither Himself; and, the night
 before, he sent his Son the Duke of *York*, who was
 lately arrived from *Richmond*, accompanied with
 the Prince Elector, thither, with some other persons of
 Honor; who knew no more, than that it was a Journey
 given to the pleasure, and curiosity of the Duke.
 Sir *John Hotham* received them with that duty, and
 civility that became him. The next morning early,
 the King took Horse from *York*; and attended with
 two or three hundred of his Servants, and Gentleman
 of the Country, rode thither; and, when he came
 within a Mile of the Town, sent a Gentleman to
 Sir *John Hotham*, “ to let him know that the King
 “ would that day dine with him;” with which he
 was strangely surpris’d; or Seemed to be so.

The man was of a fearful, nature, and perplexed
 understanding; and could better resolve upon delibe-
 ration than on a sudden; and many were of opinion
 that if he had been prepared dextrously before hand,
 and in confidence, he would have conformed to the
 King’s pleasure; for he was master of a Noble fortune
 in Land, and rich in Money; of a very ancient Family,
 and well Allied; his Affections to the Government

B O O K very good; and no man less desired to see the Nation involved in a Civil War, than He: and, when he accepted this employment from the Parliament, he never imagined it would engage him in Rebellion; but believed, that the King would find it necessary to comply with the Advice of his two Houses; and that the preserving that Magazine from being possessed by him, would likewise prevent any possible rupture into Arms. He was now in great confusion; and calling some of the chief Magistrates, and other Officers together to consult, they persuaded him, not to suffer the King to enter into the Town. And his Majesty coming within an hour after his Messenger found the Gates shut, and the Bridges drawn, and the Walls manned; all things being in readiness for the reception of an Enemy. Sir *John Hotham* himself from the Walls, with several professions of Duty, and many expressions of Fear, telling his Majesty "that he durst not open the Gates, being intrusted by the Parliament;" the King told him, "that he believed he had no Order from the Parliament to shut the Gates against him, or to keep him out of the Town." He replied, "that his train was so great, that if it were admitted, he should not be able to give a good account of the Town." Whereupon the King offered "to enter with twenty Horse only, and that the rest should stay without." The which the Other refusing, the King desired him "to come to him, that he might confer with him, upon his Princely word of safety, and liberty to return." And when he excused himself likewise from That, his Majesty told him, "that as this Act of

" his was unparalleled, so it would produce some
 " notable Effect; that it was not possible for him
 " to sit down by such an Indignity, but that he would
 " immediately Proclaim him Traitor, and proceed
 " against him as such; that this disobedience of
 " his would probably bring many miseries upon
 " the Kingdom, and much loss of Blood; all
 " which might be prevented, if he performed the
 " duty of a Subject; and therefore advised him to
 " think sadly of it, and to prevent the necessary
 " growth of so many Calamities, which must lie all
 " upon His Conscience." The Gentleman, with
 much distraction in his looks, talked confusedly of
 the " Trust he had from the Parliament;" then fell
 on his knees, and wished, " that God would bring
 " Confusion upon Him, and His, if he were not a
 " Loyal and Faithful Subject to his Majesty; but,
 " in conclusion, plainly denied to suffer his Majesty
 " to come into the Town." Whereupon, the King
 caused him immediately to be proclaimed a Traitor;
 which the Other received with some expressions of
 Undutifulness and Contempt. And so the King,
 after the Duke of *York*, and the Prince Elector, with
 their Retinue, were come out of the Town, where
 they were kept some hours, was forced to retire that
 night to *Beverly*, four miles from that place; and the
 next day returned to *York*, full of Trouble, and In-
 dignation for the Affront he had received; which
 He foresaw would produce a very great deal of
 Mischief.

The King sent an Express to the two Houses with a The King's
 Message, declaring what had passed; and " that Message to the

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two Houses
concerning
Hull.

“ Sir *John Hotham* had justified his Treason and Dis-
loyalty, by pretence of an Order and Trust from
Them; which as He could not Produce, so, his
Majesty was confident, They would not Own;
but would be highly sensible of the Scandal he had
laid upon Them, as well as of his Disloyalty to
his Majesty. And therefore, he demanded Justice
of them against him, according to Law.” The
Houses had heard before of the King’s going out of
York thither, and were in terrible apprehension that
he had possessed himself of the Town; and that
Sir *John Hotham* (for they were not confident of
him, as of a man of their own faith) by Promises or
Menaces, had given up the Place to him; and,
with this apprehension, they were exceedingly
Dejected; but when they heard the truth, and found
that *Hull* was still in their hands, they were equally
Exalted, magnifying their trusty Governor’s faith,
and fidelity Against the King. In the meantime,
the Gentlemen of the North expressed a marvellous
sense and passion on his Majesty’s behalf; and offered
to raise the Force of the County to take the Town by
force. But the King chose, for many Reasons, to
send again to the Houses another Message in which
he told them;

His Majesty’s
second Mes-
sage to the
two Houses
concerning
Hull.

“ That He was so much concerned in the undutiful
Affront (an Indignity all his good Subjects must
disdain in his behalf) he had received from Sir
John Hotham at *Hull*, that he was impatient till
he received Justice from them; and was compelled
to call again for an Answer, being confident,
however they had been so careful, though without

" his consent, to put a Garrison into that his Town,
 " to secure it, and his Magazine, against any Attempt
 " of the Papists, that they never intended to dispose,
 " and maintain it against Him, their Sovereign.
 " Therefore, he required them forthwith (for the
 " business would admit no delay) to take some
 " Speedy course, that his said Town and Magazine
 " might be immediately delivered up unto him; and
 " that such severe exemplary proceedings should
 " be against those Persons, who had offered that in-
 " supportable Affront and Injury to him, as by the
 " Law was provided: and, till that should be done,
 " he would intend no business whatsoever, other
 " than the business of *Ireland*. For, he said, if he
 " were brought into a condition so much worse than
 " any of his Subjects, that, whilst They all enjoyed
 " their Privileges, and might not have their Pos-
 " sessions disturbed, or their Titles questioned,
 " He only might be spoiled, thrown out of his
 " Towns, and his Goods taken from him, it was
 " time to examine how he had lost those Privileges;
 " and to try all possible ways, by the help of God,
 " the Law of the Land, and the Affection of his
 " good Subjects to recover them, and to vindicate
 " himself from those Injuries; and, if he should
 " miscarry therein, he should be the first Prince of
 " this Kingdom, which had done so, having no
 " other end but to defend the true Protestant Reli-
 " gion, the Law of the Land, and the liberty of
 " the Subject; and he desired God so to deal with
 " him, as he continued in those Resolutions."

Instead of any Answer to his Majesty upon these

BOOK two Messages, or sadly considering how this breach
 v. might be made up, they immediately publish (together with a declaration of their former jealousies of the Papists; of the Malignant Party; of the Lord *Digby's* Letter intercepted; of the Earl of *Newcastle's* being sent thither, upon which they had first sent down a Governor, and put a Garrison into *Hull*) several Votes and Resolutions, by which they Declared.

“ That Sir *John Hotham* had done nothing but
 “ in obedience to the Command of both Houses of
 “ Parliament, and that the Declaring of him a Trai-
 “ tor, being a Member of the House of Commons,
 “ was a high breach of the Privilege of Parliament,
 “ and being without due process of Law, was against
 “ the Liberty of the Subject, and against the Law
 “ of the Land.”

And hearing at the same time, that a Letter coming from *Hull* to them the night after the King's being there, had been intercepted by some of his Majesty's Servants, they declared “ that all such intercepting
 “ of any Letters sent to Them, was a high breach
 “ of the Privilege of Parliament, which by the Laws
 “ of the Kingdom, and the Protestation, they were
 “ bound to defend with their Lives, and their Fortunes, and to bring the Violator thereof to condign Punishment.” Then they ordered, that the Sheriffs, and Justices of the Peace of the Counties of *York*, and *Lincoln*, and all others his Majesty's Officers, should suppress all Forces, that should be raised or gathered together in those Counties, either to force the Town of *Hull*, or stop the passages to,
 and

and from the same, or in any other way to disturb the Peace of the Kingdom. All which Votes, Orders, and Declarations, being printed, and diligently dispersed throughout the Kingdom before any Address made to his Majesty in Answer of his Messages, and coming to his View, the King published an Answer to those Votes and Declarations, in which he said:

“ Since his gracious Messages to both Houses of Parliament, demanding Justice for the high and unheard of Affront offered unto him, at the Gates of Hull, by Sir John Hotham, were not thought worthy of an Answer; but that instead thereof, they had thought fit, by their printed Votes, to own and avow that unparalleled Act to be done in obedience to the Command of both Houses of Parliament (though at that time he could produce no such Command) and, with other Resolutions against his proceedings there, to publish a Declaration concerning that business, as an Appeal to the People, and as if their intercourse with his Majesty, and for his satisfaction, were now to no more purpose; though he knew that Course of theirs to be very unsuitable to the modesty, and duty of Former times, and unwarrantable by any Precedent, but what Themselves had made; yet, he was not unwilling to join issue with them in That way, and to let all the world know, how necessary, just, and Lawful all his proceedings had been in that point, and that the Defence of those proceedings, was the Defence of the Law of the Land, of the Liberty, and Property of the

His Majesty's Answer to the Declarations, and Votes concerning Hull.

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“ Subject; and that by the same Rule of Justice
“ which was now offered to him, all the Private
“ interest, and Title of all his good Subjects to all
“ their Lands and Goods, was confounded and de-
“ stroyed. He remembered them, that Mr. *Pym*
“ had said in his Speech against the Earl of *Strafford*
“ (which was published by Order of the Commons
“ House) the Law is the safeguard, the Custody of
“ all private Interest, your Honors, your Lives,
“ your Liberties, and Estates are all in the keeping
“ of the Law; without this every Man hath a like
“ Right to any thing. And he said, he would fain
“ be Answered what Title any Subject of his King-
“ dom had to his House and Land, that He had not
“ to his Town of *Hull*? Or what right any Subject
“ had to his Money, Plate, or Jewels, that his
“ Majesty had not to his Magazine, and Munition
“ there? If he had ever such a Title, he said he
“ would know, when he Lost it? And if that Ma-
“ gazine and Munition, bought with his own
“ money, were ever His, when and how that Pro-
“ perty went out of him? He very well knew the
“ great and unlimited power of a Parliament; but
“ he knew as well, that it was only in that sense,
“ as He was a Part of that Parliament; without Him,
“ and against His consent, the Votes of either or
“ both Houses together, must not, could not,
“ should not (if he could help it, for his Subjects
“ sake, as well as his own) forbid any thing that
“ was enjoined by the Law, or enjoin any thing
“ that was forbidden by the Law. But in any such
“ alteration, which might be for the Peace; and

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“ Happiness of the Kingdom, he had not, should
“ not refuse, to consent. And he doubted not,
“ but that all his good Subjects would easily discern,
“ in what a miserable Insecurity and Confusion, they
“ must necessarily and inevitably be, if Descents
“ might be altered; Purchases voided; Assurances
“ and Conveyances cancelled; the Sovereign Legal
“ Authority despised, and resisted by Votes, or
“ Orders of Either, or both Houses. And this,
“ he said, he was sure, was his Case at *Hull*; and
“ as it was His this day, by the same Rule, it might
“ be Theirs to Morrow.

“ Against any desperate Design of the Papists, of
“ which they discoursed so much, he had sufficiently
“ expressed his Zeal, and Intentions; and should
“ be as forward to adventure his own Life, and
“ Fortune, to oppose any such designs as the meanest
“ Subject in his Kingdoms.

“ For the Malignant Party, he said, as the Law
“ had not, to his knowledge, defined their con-
“ dition, so Neither House had Presented them to
“ his Majesty, under such a Notion, as he might
“ well understand, Whom they intended; and he
“ should therefore only inquire after, and avoid
“ the Malignant Party, under the Character of per-
“ sons disaffected to the Peace, and Government
“ of the Kingdom, and such who, neglecting and
“ despising the Law of the Land, had given them-
“ selves other Rules to walk by, and so dispensed
“ with their Obedience to Authority; of Those
“ persons, as Destructive to the Common-wealth,
“ he should take all possible caution.

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“ Why any Letters intercepted from the Lord
 “ *Digby*, wherein He mentioned a retreat to a place
 “ of Safety, should hinder him from visiting his own
 “ Fort, and how he had opposed any ways of
 “ Accommodation with his Parliament, and what
 “ ways, and Overtures had been offered in any way,
 “ or like any desire of such Accommodation; or
 “ whether his Message of the twentieth of *January*
 “ last, so often in vain pressed by him, had not suf-
 “ ficiently expressed his earnest desire of it, he said,
 “ all the world should judge; neither was it in the
 “ power of any Persons to incline him to take Arms
 “ against his Parliament, and his good Subjects,
 “ and miserably to embroil the Kingdom in Civil
 “ Wars. He had given sufficient Evidence to the
 “ world how much his Affections abhorred, and
 “ how much his heart did bleed at, the apprehen-
 “ sion of a Civil War. And, he said, God and the
 “ World must judge, if his Care and Industry were
 “ not, only to defend and protect the Liberty of
 “ the Subject, the Law of the Kingdom, his own
 “ just Rights (part of that Law) and his Honor
 “ much more precious than his Life: and if, in op-
 “ position to these, any Civil War should arise,
 “ upon Whose account the Blood, and Destruction
 “ that must follow, must be cast: God, and his own
 “ Conscience, told him, that He was clear.

“ For Captain *Leg*'s being sent heretofore to *Hull*,
 “ or for the Earl of *Newcastle*'s being sent thither by
 “ his Warrant and Authority, he said, he had asked
 “ a question long ago, in his Answer to both Hou-
 “ ses concerning the Magazine at *Hull*, which, he

“ had cause to think, was not easy to be Answered; B O O K
 “ Why the general Rumor of the design of Papists, Y.
 “ in the Northern Parts, should not be thought
 “ sufficient ground for his Majesty to put such a
 “ Person of Honor, Fortune, and unblemished Re-
 “ putation, as the Earl of *Newcastle* was known to
 “ be, into a Town and Fort of his own, where his
 “ own Magazine lay; and yet the same Rumor be
 “ warrant enough to commit the same Town and
 “ Fort, without his consent, to the hands of Sir
 “ *John Hotham*, with such a power as was now too
 “ well known, and understood? How his Refusal
 “ to have that Magazine removed, upon the Peti-
 “ tion of both Houses, could give any advantage
 “ against him, to have it taken from him, and
 “ whether it was a Refusal, all men would easily
 “ understand, who read his Answer to that Petition;
 “ to which, it had not yet been thought fit, to
 “ make any Reply.

“ For the Condition of those Persons, who pre-
 “ sented the Petition to him at *York* (whom that
 “ Declaration called, some few ill Affected Persons
 “ about the City of *York*) to continue the Magazine
 “ at *Hull*; he said, he made no doubt, but that
 “ Petition would appear to be attested, both in
 “ Number, and Weight, by Persons of Honor and
 “ Integrity, and much more conversant with the
 “ Affections of the whole Country, than most of
 “ those Petitions, which had been received with so
 “ much Consent, and Approbation. And for the
 “ Presumption of interposing Their advice, his Ma-
 “ jesty the more wondered at that exception, when

BOOK V. "such encouragement had been given, and Thanks
 declared to Multitudes of mean, unknown People,
 Apprentices, and Porters, who had accompanied
 Petitions of very strange Natures:

"For the manner of his going to *Hull*, he said,
 he had clearly set forth the same, in his Message
 to both Houses of that business; and for any In-
 telligence given to Sir *John Hotham* of an intention
 to deprive Him of his Life, as he knew there was
 no such intention in him, having given him all
 possible Assurance of the same, at his being there,
 so he was confident, no such Intelligence was
 given, or if it were, it was by some Villain, who
 had nothing but Malice, or Design to fright him
 from his due Obedience; and Sir *John Hotham*
 had all the reason to assure himself, that his Life
 would be in much more danger by refusing to
 admit his King into his own Town and Fort, than
 by yielding him that Obedience, which he owed
 by his Oaths of Allegiance and Supremacy, and
 the Protestation, which he knew was due and
 warrantable, by the Laws of the Land. For the
 Number of his Attendants, though that could be
 no Warrant for such a disobedience in a Subject,
 he said, it was well known (as his Majesty had
 expressed in his Message to both Houses, to which
 Credit ought to have been given) that he offered
 to go into the Town with twenty Horse only, his
 whole Train being Unarmed; and whosoever
 thought that too great an Attendance for his Ma-
 jesty, and his two Sons, had sure an intention to
 bring him to a meaner Retinue, than they would
 yet avow.

“ Here then, he said, was his Case, of which all
 “ the World should judge: his Majesty endea-
 “ voured to visit a Town, and Fort of his own, where-
 “ in his own Magazine lay; a Subject, in defiance
 “ of him, shuts the Gates against him; with Armed
 “ Men resists, denies, and opposes his Entrance;
 “ tells him, in plain terms, he should not come in.
 “ He said, he did not pretend to understand much
 “ Law, yet, in the point of Treason, he had much
 “ Learning taught him this Parliament; and if the
 “ sense of the Statute of the 25th Year of *Edward* the
 “ III. *Chap. 2.* were not very differing from the
 “ Letter, Sir *John Hotham's* Act was no less than
 “ plain High-Treason: and he had been contemp-
 “ tibly stupid, if he had after all those circumstances
 “ of Grace and Favor then showed to him, made
 “ any scruple to proclaim him Traitor. And whether
 “ he were so, or no, if he would render himself,
 “ his Majesty would require no other Trial, than
 “ that which the Law had appointed to every Subject,
 “ and which he was confident he had not, in the
 “ least degree, violated in those proceedings; no
 “ more than he had done the Privilege of Parlia-
 “ ment, by endeavouring, in a just way, to chal-
 “ lenge his Own unquestionable Privileges. So that
 “ in such a Case, the declaring him Traitor, being
 “ a Member of the House of Commons, without
 “ process of Law, should be a breach of Privilege
 “ of Parliament (of which he was sure none extended
 “ to Treason, Felony, or breach of Peace) against
 “ the Liberty of the Subject, or against the Law
 “ of the Land, he must have Other Reasons than

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“ bare Votes. He said, he would know if Sir
 “ *John Hotham* had, with the Forces by which he
 “ kept him out of his Town of *Hull*, pursued him to
 “ the Gates of *York*, which he might as legally have
 “ done, whether his Majesty must have stayed from
 “ declaring him Traitor till Process of Law might
 “ have issued against him? Would Fears and
 “ Jealousies dispense with necessary, and real Forms?
 “ And must his Majesty, when actual War is levied
 “ upon him, observe Forms which the Law it-
 “ self doth not injoin? The Case, he said, was
 “ truly stated, let all the World judge (unless the
 “ mere sitting of a Parliament did suspend all
 “ Laws, and his Majesty was the only Person in
 “ *England* against whom Treason could not be com-
 “ mitted) Where the fault was; and whatsoever
 “ course he should be driven to for the Vindication
 “ of that his Privilege, and for the Recovery and
 “ Maintenance of his known undoubted Rights, he
 “ doth promise, in the presence of Almighty God,
 “ and as he hopes for his Blessing in his Success, that
 “ he would, to the utmost of his power, defend and
 “ maintain the true Protestant profession, the Law
 “ of the Land, the Liberty of the Subject, and the
 “ just Privilege, and Freedom of Parliament.

“ For the Order of Assistance given to the Comit-
 “ tees of both Houses, concerning their going to
 “ *Hull*, he said, he should say no more, but that
 “ those Persons, named in that Order, he presumed,
 “ would give no Commands, or his good Subjects
 “ Obey other, than what were warranted by the
 “ Law (how large and unlimited soever the Direc-

" tions are ; or the Instructions might be) for to that
 " Rule he should apply his own Actions, and by it,
 " require an Account from other Men ; and that all
 " his good Subjects might the better know their duty
 " in matters of this Nature, he wished them care-
 " fully to peruse the Statute of the 11th Year of King
 " *Henry VII. Ch. 1.* He said, he would conclude
 " with Mr. *Pym's* own words, If the Prerogative
 " of the King overwhelm the Liberty of the People,
 " it will be turned to Tyranny ; if Liberty under-
 " mine the Prerogative, it would grow into Anar-
 " chy, and so into Confusion."

Besides their Declaration, Votes, and Orders in
 the justification of Sir *John Hotham*, for his better
 Encouragement, and for a ground of his Son's
 residence at *Hull*, in whom they had in truth a
 firmer Confidence than in the Father, they Or-
 " dered, That if, by any Force or Accident,
 " Sir *John Hotham* should lose his Life, or Other-
 " wise die in that Service ; that his Son should suc-
 " ceed him in the Government ;" and having thus
 declared themselves, they thought fit at last to
 send some particular Answer to the King upon that
 business ; which they were the rather inclined to
 do, that under that pretence, they might send
 down a Committee of their own to reside at *York* ;
 whereby they might receive constant Animad-
 versions of what happened, and what was de-
 signed, and their Friends, and Dependants in that
 large, Populous, and Rich County, be the better
 confirmed in their Affections, and Devotions to
 them ; and, to that purpose, they sent down the

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Lord *Howard of Efcrigg*, the Lord *Fairfax*, Sir *Hugh Cholmly* (a fast friend to Sir *John Hotham*) Sir *Philip Stapleton*, who had likewise married *Hotham's* Daughter, and Sir *Henry Cholmly*, who presented their Answer in writing to his Majesty; the which, being of a Mould unusual, and a Dialect higher and rougher than even themselves had yet used, I have thought fit to insert in the same words it was delivered; thus.

The most humble Answer of the Lords and Commons in Parliament to two Messages from your Sacred Majesty concerning Sir John Hotham's refusal to give your Majesty entrance into the Town of Hull.

The Answer
of the Lords,
and Com-
mons to his
Majesty's
two Messages
concerning
Hull.

“ Your Majesty may be pleased to understand,
“ that We, your Great Council, finding manifold
“ evidences of the wicked Counsels, and Practices
“ of some in near Trust, and Authority about You,
“ to put the Kingdom into a Combustion, by draw-
“ ing your Majesty into places of strength, remote
“ from your Parliament, and by exciting your
“ People to Commotions, under pretence of Serving
“ your Majesty against your Parliament, lest this
“ Malignant Party, by the advantage of the Town,
“ and Magazine at *Hull*, should be enabled to go
“ through with their mischievous Intentions, did,
“ in discharge of the great Trust that lies upon us,
“ and by that Power which in Cases of this Nature
“ resides in us, Command the Town of *Hull* to be
“ secured by a Garrison of the adjoining Trained-
“ bands, under the Government of Sir *John Hotham*;

“ requiring him to keep the same for the Service of
“ your Majesty and the Kingdom : wherein We
“ have done nothing contrary to your Royal Sovereignty in that Town , or Legal Propriety in the
“ Magazine. B O O K
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“ Upon consideration of Sir *John Hotham*’s proceeding at your Majesty’s being there, We have, upon very good ground, adjudged, that he could not discharge the Trust, upon which, nor make good the end, for which he was placed in the Guard of that Town and Magazine, if he had let in your Majesty with such Counsellors, and Company as were then about you.

“ Wherefore, upon full Resolution of both Houses, We have declared Sir *John Hotham* to be clear from that odious Crime of Treason; and have avowed, that he hath therein done nothing but in obedience to the Command of both Houses of Parliament; assuring ourselves that, upon mature Deliberation, your Majesty will not interpret his obedience to such Authority to be an Affront to your Majesty, or to be of that Nature, as to require any Justice to be done upon him, or satisfaction to be made to your Majesty, but that you will see just cause of joining with your Parliament, in preserving and securing the Peace of the Kingdom; suppressing this wicked and Malignant Party; who, by false colors, and pretensions of maintaining your Majesty’s Prerogative against the Parliament (wherein they fully agree with the Rebels in *Ireland*) have been the causes of all our Distempers, and Dangers.

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" For prevention whereof We know no better
 " remedy, than settling the Militia of the Kingdom,
 " according to the Bill, which We have sent your
 " Majesty without any intention of deserting, or
 " declining the validity, or observance of that Ordinance,
 " which past both Houses, upon your Majesty's former refusal: but We still hold, that
 " Ordinance to be effectual by the Laws of this
 " Kingdom. And We shall be exceeding glad, if
 " your Majesty by approving these our just, dutiful,
 " and necessary proceedings, shall be pleased to
 " entertain such Counsel, as We assure ourselves,
 " by God's blessing, will prove very advantageous
 " for the Honor, and Greatness of your Majesty;
 " the Safety, and Peace of your People; amongst
 " which, We know none more likely to produce
 " such good effects, than a Declaration from your
 " Majesty of your purpose to lay aside all thoughts
 " of going into *Ireland*, and to make a speedy return
 " into these parts, to be near your Parliament.
 " Which as it is our most humble desire, and earnest
 " Petition, so shall it be seconded with our most
 " dutiful Care for the Safety of your Royal Person,
 " and constant Prayers, that it may prove Honorable,
 " and Successful, in the Happiness of your
 " Majesty, and all your Kingdoms.

To this Answer, with all formality delivered to his Majesty by the Committee, the King returned a quick Reply:

His Majesty's
 Reply.

" That he had been in good hope, that the reason,
 " why they had so long deferred their Answer to
 " his Messages concerning *Hull*, had been, that

“ they might the better have given him satisfaction
 “ therein, which now added the more to his Asto-
 “ nishment, finding their Answer, after so long ad-
 “ visement, to be of that nature, which could not
 “ but rather increase, than diminish the present dis-
 “ tractions, if constantly adhered to by the Parlia-
 “ ment. He asked them, whether it was not too
 “ much, that his Town of *Hull* had a Garrison put
 “ into it, to the great charge of the Country, and
 “ Inconvenience to the poor Inhabitants, without
 “ His consent and approbation, under color at that
 “ Time of Foreign Invasion, and Apprehensions
 “ of the Popish Party; but that Now the reasons
 “ thereof should be enlarged with Scandal to his
 “ Majesty, and his faithful Servants, only to bring
 “ in the more specious Pretext for the avowing Sir
 “ *John Hotham's* Insolence, and Treason?

“ He said, he had often heard of the great Trust,
 “ that, by the Law of God and Man, was com-
 “ mitted to the King for the Defence, and Safety
 “ of his People; but as yet he never understood,
 “ what Trust or Power was committed to Either,
 “ or Both Houses of Parliament, without the King;
 “ They being summoned to Counsel, and Advise
 “ the King. But by what Law or Authority, they
 “ possess themselves of his Majesty's Right and In-
 “ heritance, he was confident, that as they had not,
 “ so they could not show. He told them, that he
 “ had not hitherto given the least interruption to
 “ Public Justice; but They, rather than suffer
 “ One of their Members, to come so much as to
 “ a legal Trial for the highest Crime, would make

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“ use of an Order of Parliament to countenance
“ Treason, by declaring him free from that guilt;
“ which all former Ages never accounted other;
“ and that without so much as inquiring the opinion of the Judges; for he was confident, they
“ would have mentioned their opinion, if they had
“ asked it.

“ Therefore he expected, that upon further,
“ and better consideration of the great, and necessary
“ consequence of the business of *Hull*, and seriously
“ weighing, how much it did concern the Peace,
“ and Quiet of the Kingdom, They would, without
“ further Instance from his Majesty, give him full,
“ and speedy Justice against Sir *John Hotham*. And,
“ he said, he would leave all his good People to
“ think, what hope of Justice there was left for
“ Them, when they Refused, or Delayed to give
“ their own Sovereign satisfaction. And, as he had
“ already said, till that should be done, he would
“ intend no business whatsoever other than that
“ of *Ireland*.

“ And he said, he likewise expected that They
“ would not put the Militia in execution, until
“ they could show him by what Law they had
“ Authority to do the same, without His consent;
“ or if they did, he was confident, that he should
“ find much more obedience according to Law,
“ than they would do against Law. And he should
“ esteem all those, who should obey them therein,
“ to be disturbers of the Peace of the Kingdom;
“ and would, in due Season, call them to a Legal
“ account for the same.

“ Concerning his return, he told them, he never
“ heard that the flandering of a King’s Government,
“ and his faithful Servants, the refusing of him Justice,
“ and in a case of Treason, and the seeking to take
“ away his undoubted and Legal Authority, under
“ the pretence of putting the Kingdom into a posture
“ of Defence, were Arguments to induce a King
“ to come near, or hearken to his Parliament. BOOK
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The King despatched this Answer the sooner, that
the Country might be freed from the Impression,
the Presence and Activity of the Committee made
in them; but when he delivered it to them, and
required them to make all convenient haste with it
to the Houses, they told him, “ They would send
“ it by an Express, but that themselves were
“ required, and appointed still to reside at York.”
The King told them, “ that he liked not such Super-
“ visors near him, and wished them to be very
“ careful in their carriage; that the Country was
“ visibly Then very well affected; and if he found
“ any declension, he well knew to Whom to impute
“ it; and should be compelled to proceed in another
“ manner against them, than, with reference to their
“ Persons” (for they were all then reputed Moderate
Men, and had not been thought disaffected to the
Government of Church, or State) “ he should be
“ willing to do. They Answered with a sullen
“ confidence, that they should demean themselves
“ according to their Instructions, and would per-
“ form the Trust reposed in them by the two
“ Houses of Parliament.” Yet such was the ticklish-
ness of the King’s condition, that, though it was

B O O K most Evident that their coming, and staying there
V. was to pervert, and corrupt the Loyalty, and Affections of those parts, and to infuse into them Inclinations contrary to their Allegiance, it was not thought Counselable at that time, either to commit them to Prison, or to expel them from that City, or to inhibit them the freedom of his own Court, and Presence; and so they continued, for the space of above a Month, in *York*, even in defiance of the King.

The Militia was the Argument, which They found made deepest impression in the People, being totally ignorant what it was, or what the consequence of it might be; and so believing whatsoever They told them concerning it. And therefore they Resolved to drive that Nail home; and though, for want of their Imminent Danger, and during the time of the King's Treaty, and Overture of a Bill, they had forborn the execution of their Ordinance; yet the frequent Musters of Volunteers without Order, almost in all Countries, by the bare Authority of their Votes, gave them sufficient Evidence how open the People were to their Commands; at least how unprepared Authority was to resist, and oppose them: and therefore, after the King had displaced their two Favorites, and refused to pass the Bill for the Militia, and Sir *John Hotham* had refused to let the King come into the Town of *Hull*, and They had Justified him for so doing, they prepared a Declaration concerning the whole State of the Militia, as the Resolution of the Lords and Commons upon that matter; in which they said;
 That

" That holding it necessary for the Peace, and
 " Safety of the Kingdom, to settle the Militia there-
 " of they had, for that purpose, prepared an Or-
 " dinance of Parliament, and with all humility had
 " presented the same to his Majesty for his Royal
 " Assent. Who, notwithstanding the faithful Advice
 " of his Parliament, and the several Reasons of-
 " fered by them, of the necessity thereof for the
 " securing of his Majesty's Person, and the Peace
 " and Safety of his People, did refuse to give his
 " Consent; and thereupon, they were necessitated,
 " in discharge of the Trust reposed in Them, as the
 " Representative Body of the Kingdom, to make an
 " Ordinance, by the Authority of both Houses, to
 " settle the Militia, warranted thereunto by the
 " Fundamental Laws of the Land: that his Majesty,
 " taking notice thereof, did, by several Messages,
 " invite them to settle the same by Act of Parliament;
 " affirming in his Message sent in Answer to the
 " Petition of both Houses, presented to his Majesty
 " at York, March 26th that he always thought it
 " necessary the same should be settled, and that he
 " never denied the Thing, only denied the Way;
 " and for the Matter of it, took exception only to
 " the preface, as a thing not standing with his Honor
 " to consent to; and that Himself was excluded in
 " the Execution, and for a time Unlimited: where-
 " upon the Lords and Commons, being desirous to
 " give his Majesty all satisfaction that might be,
 " even to the least Tittle of Form and Circumstances,
 " when his Majesty had pleased to offer them a Bill
 " ready drawn, had, for no other cause, than to

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The Declara-
 tion of the two
 Houses about
 the Militia
 May 5. 1642.

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“ manifest their hearty Affection to comply with his
“ Majesty’s desires, and obtain his consent, enter-
“ tained the same, in the mean time no way declining
“ their Ordinance; and to express their earnest Zeal
“ to correspond with his Majesty’s desires (in
“ all things that might consist with the Peace, and
“ Safety of the Kingdom, and the Trust reposed in
“ them) did pass that Bill, and therein omitted the
“ Preamble inserted before the Ordinance; limited
“ the time to less than two years; and confined the
“ Authority of the Lieutenants to these three parti-
“ culars namely Rebellion, Insurrection, and For-
“ eign Invasion; and returned the same to his Majesty
“ for his Royal Assent: but all these expressions of
“ Affection and Loyalty, all those desires, and earnest
“ endeavours to comply with his Majesty, had, to
“ their great grief and sorrow, produced no better
“ Effects than an absolute denial, even of that which
“ his Majesty by his former Messages, as they con-
“ ceived, had promised: the Advice of evil and wick-
“ ed Councils receiving still more Credit with him,
“ than that of his Great Council of Parliament in a
“ matter of so high Importance, that the Safety of
“ his Kingdom, and Peace of his People, depended
“ upon it.

“ But now, what must be the exceptions to that
“ Bill? Not any sure that were to the Ordinance,
“ for a care had been taken to give satisfaction in all
“ those particulars. Then the Exception was, because
“ that the disposing and execution thereof was re-
“ ferred to both Houses of Parliament, and his
“ Majesty Excluded; and Now that, by the Bill,

“ the Power and Execution was ascertained , and
 “ reduced to particulars , and the Law of the Realm
 “ made the Rule thereof, his Majesty would not
 “ trust the Persons. The power was too great, too
 “ Unlimited, to trust them with. But what was that
 “ Power ? Was it any other , but , in express terms,
 “ to suppress Rebellion , Insurrection , and Foreign
 “ Invasion ? And who were those Persons ? Were
 “ not they such as were nominated by the Great
 “ Council of the Kingdom, and Assented to by his
 “ Majesty ? And was it too Great a Power, to trust
 “ Those Persons with the suppression of Rebellion ,
 “ Insurrection, and Foreign, invasion ? Surely,
 “ they said , the most wicked of them who advised
 “ his Majesty to that Answer , could not suggest ,
 “ but that it was necessary for the safety of his Ma-
 “ jesty’s Royal Person , and the Peace of the King-
 “ dom, such a power should be put in Some hands ;
 “ and there was no pretence for exception to the
 “ Persons. They said , his Majesty had , for the
 “ space of above fifteen years together , not thought
 “ a power , far exceeding That , to be too Great to
 “ intrust particular Persons with , to whose Will the
 “ Lives , and Liberties of his People , by Martial
 “ Laws, were made Subject ; for such was the power
 “ given Lord Lieutenants, and Deputy Lieutenants,
 “ in every County of this Kingdom, and that with-
 “ out the consent of the People, or Authority of Law.
 “ But now in case of Extreme Necessity , upon the
 “ advice of both Houses of Parliament , for no longer
 “ space than two years, a Lesser power, and that for
 “ the safety of King and People , was thought too

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“ Great to trust particular Persons with, though
“ named by both Houses of Parliament, and approved by his Majesty Himself: and surely, if
“ there were a necessity to settle the Militia
“ (which his Majesty was pleased to confess) the
“ Persons could not be intrusted with Less power
“ than that, to have it at all Effectual. And the Precedents of former Ages, when there happened a
“ Necessity to raise such a Power, never straitened
“ that Power to a narrower compass; witness the
“ Commissions of Array in several Kings’ Reigns,
“ and often issued out by the Consent, and Authority
“ of Parliament.

“ The Lords and Commons therefore, intrusted
“ with the safety of the Kingdom, and peace of the
“ People) which, they called God to witness, was
“ their only aim) finding themselves denied those
“ their so necessary and just Demands, and that they
“ could never be discharged before God or Man, if
“ they should suffer the safety of the Kingdom, and
“ peace of the People, to be exposed to the malice
“ of the Malignant Party at home, or the Fury of
“ Enemies abroad: and knowing no other way to
“ encounter the imminent, and approaching danger,
“ but by putting the People into a fit posture of
“ defence, did Resolve to put their said Ordinance
“ in present execution; and did require all persons
“ in Authority, by virtue of the said Ordinance,
“ forthwith to put the same in execution, and all
“ others to obey it, according to the Fundamental
“ Laws of the Kingdom in such cases, as they
“ tendered the upholding of the True Protestant

“ Religion, the Safety of his Majesty’s Person, B O O K
 “ and his Royal Posterity, the Peace of the Kingdom, V.
 “ and the Being of this Common-wealth.” This
 Declaration (being in Answer to a Message from
 his Majesty) was Printed, and, with the usual care
 and dexterity, dispersed throughout the Kingdom,
 without so much as sending it to the King; and there-
 upon, Warrants and Directions issued into all parts,
 for the exercising the Militia.

This being the first Declaration they had in plain
 terms published against the King, without ever
 communicating it, or presenting it to him, as they
 had done all the rest, his Majesty was the more
 troubled how to take notice of it, but conceiving it
 necessary to apply some Antidote to this Poison, the
 violent operation whereof he had reason to appreh-
 end, he published a Declaration by way of Answer
 to that Declaration, in which he said:

“ That he very well understood, how much it was
 “ below the High and Royal Dignity (wherein God
 “ had placed him) to take notice of, much more to
 “ trouble himself with Answering those many scan-
 “ dalous, seditious Pamphlets, and Printed Papers,
 “ which were scattered, with such great licence
 “ throughout the Kingdom (notwithstanding
 “ his Majesty’s earnest desire, so often in vain
 “ pressed, for a Reformation) though he found it
 “ evident, that the minds of many of his weak
 “ Subjects, had been, and still were poisoned by those
 “ means; and that so general a terror had possessed
 “ the minds and hearts of all men, that whilst the
 “ Presses swarmed with, and every day produced,

The King’s
 Declaration in
 Answer to the
 fore-going De-
 claration.

BOOK V. " new Tracts against the established Government
 " of the Church and State, most men wanted the
 " Courage or the Conscience to write, or the opportunity and Encouragement to publish such composed, sober Animadversions, as might either preserve the minds of his good Subjects from such infection, or restore and recover them. when they were so infected: but, his Majesty said, he was contented to let himself fall to any Office, that might undeceive his People, and to take more pains that way by his Own Pen, than even King had done, when he found any thing that seemed to carry the Reputation, and Authority of Either, or Both Houses of Parliament, and would not have the same refuted, and disputed by Vulgar and Common Pens, till he should be thoroughly informed whether those Acts had in truth that Countenance and Warrant, they pretend: which regard of his, his Majesty doubted not but, in time, would recover that due Reverence (the absence whereof he had too much reason to complain of) to his Person and his Messages, which in all Ages had been paid, and, no doubt, was due to the Crown of *England*.

" He said, he had therefore taken notice of a Printed Paper, entitled a Declaration of both Houses, in Answer to his last Message concerning the Militia, published by Command; the which he was unwilling to believe (both for the matter of it, the expressions in it, and the manner of publishing it) could result from the consent of both Houses; neither did his Majesty know by what Lawful

“ command, such Uncomely, Irreverent mention
 “ of Him could be published to the world: And,
 “ though Declarations of that kind had of late, with
 “ to much boldness, broken in upon his Majesty,
 “ and the whole Kingdom, when one, or both
 “ Houses had thought fit to communicate their Coun-
 “ sels, and Resolutions to the People; yet, he said,
 “ he was unwilling to believe, that such a Declara-
 “ tion as that could be published in answer to his
 “ Message, without vouchsafing at least to send it
 “ to his Majesty as their Answer. Their business,
 “ for which they were met by his Writ and Autho-
 “ rity, being to Counsel him for the good of his
 “ People, not to Write against him to his People;
 “ nor had any consent of his Majesty for their long
 “ continuing together enabled them to do any thing,
 “ but what they were first summoned by his Writ to
 “ do. At least he would believe, though misunder-
 “ standing and jealousy (the Justice of God, he said,
 “ would overtake the Fomenters of that jealousy,
 “ and the Promoters and Contrivers of that misunder-
 “ standing) might produce, to say no worse, those
 “ very Untoward expressions, that if those Houses
 “ had contrived that Declaration as an Answer to his
 “ Message, they would have vouchsafed some
 “ Answer to the Questions proposed in his, which,
 “ he professed, did, and must evidently prevail
 “ over his understanding; and in their Wisdom and
 “ Gravity, they would have been sure to have
 “ stated the matters of Fact, as (at least to ordinary
 “ understandings) might be unquestionable; neither
 “ of which was done by that Declaration.

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“ His Majesty desired to know, why he was by that Act absolutely excluded from any Power, or Authority in the execution of the Militia; and, he said, he must appeal to all the world, whether such an Attempt, were not a greater and juster ground for Fear and Jealousy in Him, than any one that was avowed for those Destructive Fears and Jealousies which were so publicly owned, almost to the ruin of the Kingdom. But his Majesty had been told, that he must not be jealous of his Great Council of both Houses of Parliament: He said, he was not, no more than they were of his Majesty, their King; and hitherto they had not avowed any Jealousy of, or Disaffection to his Person; but imputed all to his evil Counsellors, to a Malignant Party, that was not of Their minds; so his Majesty did (and, he said, he did it from his Soul) profess no Jealousy of his Parliament, but of some Turbulent, Seditious, and Ambitious Natures; which, being not so clearly discerned, might have an influence even upon the Actions of both Houses: and if that Declaration had passed by their consent (which he was not willing to believe) he said, it was not impossible, but that the apprehension of such Tumults, which had driven his Majesty from his City of *London*, for the safety of his Person, might make such an impression upon other men, not able to remove from the danger, to make them Consent, or not to own a Dissent, in matters not agreeable to their Conscience, or Understanding.

“ He said, he had mentioned, in that this Answer,

" his dislike of putting Their Names out of the Bill,
 " whom before they recommended to his Majesty,
 " in their pretended Ordinance, and the leaving out,
 " by special Provision, the present Lord Mayor of
 " London; to all which the Declaration afforded no
 " Answer; and therefore he could not suppose it
 " was intended for an Answer to that his Message,
 " which whosoever looked upon, would find to
 " be in no degree Answered by that Declaration;
 " but it informed all his Majesty's Subjects, after
 " the mention with what humility the Ordinance
 " was prepared, and presented to his Majesty (a
 " matter very evident in the Petitions, and Mes-
 " sages concerning it) and his refusal to give his
 " consent, notwithstanding the several reasons of-
 " fered, of the necessity thereof for the securing of
 " his Person, and the Peace and Safety of his People
 " (whether any such reasons were given, the weight
 " of them, and whether they were not clearly and
 " candidly Answered by his Majesty, the World
 " would easily judge) that they were at last neces-
 " sitated to make an Ordinance by Authority of both
 " Houses, to settle the Militia, warranted thereunto
 " by the Fundamental Laws of the Land. But, his
 " Majesty said, if that Declaration had indeed in-
 " tended to have Answered him, it would have told
 " his good Subjects what those Fundamental Laws
 " of the Land were, and where to be found; and
 " would, at least, have mentioned one Ordinance,
 " from the first beginning of Parliaments to this
 " present Parliament, which endeavoured to impose
 " any thing upon the Subject without the King's

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“ Consent; for of such, he said, all the inquiry he
 “ could make could never produce him one Instance.
 “ And if there were such a Secret of the Law, which
 “ had lain hid from the beginning of the world to
 “ that time, and Now was discovered to take away
 “ the Just, Legal Power of the King, he wished
 “ there were not some Other Secret (to be disco-
 “ vered when they pleased) for the ruin, and de-
 “ struction of the Liberty of the Subject. For, he
 “ said, there was no doubt if the Votes of both
 “ Houses had any such Authority to make a New
 “ Law, it had the same Authority to repeal the
 “ Old; and then, what would become of the long
 “ established Rights and Liberties of the King and
 “ Subject, and particularly of *Magna Charta*, would
 “ be easily discerned by the most ordinary Under-
 “ standing.

“ He said, it was true, that he had (out of ten-
 “ derness of the Constitution of the Kingdom, and
 “ care of the Law, which he was bound to defend,
 “ and being most assured of the unjustifiableness of
 “ the pretended Ordinance) invited, and desired
 “ both Houses of Parliament to settle whatsoever
 “ should be fit of that nature by Act of Parliament.
 “ But was he therefore obliged to pass whatsoever
 “ should be brought to him of that kind? He did
 “ say in his Answer to the Petition of both Houses
 “ presented to him at *York* the 26th of *March* last
 “ (and he had said the same in other Messages be-
 “ fore) that he always thought it necessary that the
 “ business of the Militia should be settled, and that
 “ he never denied the Thing, only denied the Way;

“ and he said the same still; and that since the many
“ Disputes and Votes, upon Lords Lieutenants and
“ their Commissions (which had not been begun by
“ his Majesty, nor his Father) had so discountenanced
“ that Authority, which for many years together
“ was happily looked upon with reverence,
“ and obedience by the People, his Majesty did
“ think it very necessary, that some wholesome Law
“ should be provided for that Business; but he had
“ declared in his Answer to the pretended Ordinance,
“ that he expected, that the necessary Power should
“ be first invested in his Majesty, before he consented
“ to transfer it to other men; neither could
“ it ever be imagined that he would consent that
“ a greater Power should be in the hands of a Subject,
“ than he was thought worthy to be trusted with
“ Himself. And if it should not be thought fit to
“ make a new Act or Declaration in the point of
“ the Militia, he doubted not, but he should be
“ able to grant such Commissions as should very
“ legally enable those he trusted, to do all Offices
“ for the peace and quiet of the Kingdom, if any
“ disturbance should happen.

“ But it was said, he had been pleased to offer
“ them a Bill ready drawn, and that They, to express
“ their earnest Zeal to correspond with his
“ desire, did pass that Bill; and yet all that expression
“ of Affection and Loyalty, all that earnest desire of
“ theirs to comply with his Majesty, produced no
“ better effect than an absolute denial, even of what
“ by his former Messages his Majesty had promised;
“ and so that Declaration, he said, proceeded,

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“ under the pretence of mentioning evil and wicked
 “ Councils, to censure and reproach his Majesty in
 “ a Dialect, that, he was confident, his good Subjects
 “ would read, on his behalf, with much Indignation.
 “ But his Majesty said. sure if that Declaration had
 “ passed the examination of both Houses of Par-
 “ liament, they would never have affirmed, that
 “ the Bill he had refused to pass, was the same he
 “ had sent to them, or have thought that his Mes-
 “ sage, wherein the difference, and contrariety
 “ between the two Bills, was so particularly set
 “ down, would be Answered with the bare Averring
 “ them to be one, and the same Bill: nor would
 “ they have declared, when his exceptions to the
 “ Ordinance, and the Bill, were so notoriously
 “ known to all, that care being taken to give satis-
 “ faction in all the particulars he had excepted against
 “ in the Ordinance, he had found New exceptions
 “ to the Bill; and yet that very Declaration con-
 “ fessed, that his exception to the Ordinance was,
 “ that, in the disposing and execution thereof, his
 “ Majesty was Excluded: and was not that an ex-
 “ press reason, in his Answer for his refusal of the
 “ Bill; which that Declaration would needs confute?
 “ But the Power was no other than to suppress
 “ Rebellion, Insurrection, and Foreign Invasion:
 “ and the Persons trusted, no other than such as
 “ were nominated by the Great Council of the
 “ Kingdom, and assented to by his Majesty: and
 “ they asked, if that were too Great a power to
 “ trust those Persons with? Indeed, his Majesty
 “ said, whilst so great Liberty was used in Voting,

“ and Declaring men to be Enemies to the Common-
“ wealth (a phrase his Majesty scarce understood)
“ and in censuring men for their Service, and At-
“ tendance upon his Majesty’s Person, and in his
“ lawful Commands, great heed must be taken into
“ what hands he committed such a power to sup-
“ press Insurrection, and Rebellion; and if Insur-
“ rection and Rebellion had found other Definitions
“ than what the Law had given, his Majesty must
“ be sure that no Lawful power should Justify those
“ Definitions: and if there were Learning found out
“ to make Sir *John Hotham*’s taking Arms against
“ him, and keeping his Majesty’s Town and Fort
“ from him, to be no Treason or Rebellion, he
“ knew not whether a new Discovery might not
“ find it Rebellion in his Majesty to Defend Himself
“ from such Arms, and to endeavour to recover
“ what was so taken from him; and therefore, he
“ said, it concerned him, till the known Laws of
“ the Land were allowed to be Judge between them,
“ to take heed into what hands he committed such
“ power.

“ Besides, he asked, whether it could be thought,
“ that because he was willing to trust certain Persons,
“ that he was obliged to trust them in Whatsoever
“ they were willing to be trusted? He said, no
“ Private hands were fit for such a Trust; neither
“ had he departed from any thing, in the least
“ degree, he had offered or promised before; though
“ He might with as much reason have withdrawn
“ his Trust from some Persons, whom before he
“ had accepted, as They had done from others;

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“ whom they had recommended. For the power
 “ which he was charged to have committed to particular persons, for the space of fifteen years, by
 “ his Commissions of Lieutenancy, it was notoriously
 “ known that it was not a power created by his
 “ Majesty, but continued very many years, and in
 “ the most happy times this Kingdom had enjoyed,
 “ even those of his renowned Predecessors, Queen
 “ *Elizabeth*, and his Father of happy memory; and
 “ whatever Authority had been granted by those
 “ Commissions, which had been kept in the old
 “ forms, the same was determinable at his Majesty’s
 “ pleasure; and he knew not, that they produced
 “ any of those Calamities, which might give his
 “ good Subjects cause to be so weary of them, as
 “ to run the hazard of so much Mischief, as that
 “ Bill, which he had refused, might possibly have
 “ produced.

“ For the Precedents of former Ages in the Commissions of Array, his Majesty doubted not, but
 “ when any such had issued out, that the King’s
 “ consent was always obtained, and the Commissions
 “ determinable at His pleasure; and then what the
 “ extent of Power was, would be nothing applicable to that Case of the Ordinance.

“ But whether that Declaration had refuted his
 “ Majesty’s reasons for his refusal to pass the Bill,
 “ or no, it resolved, and required all persons in
 “ Authority thereby to put the Ordinance in present execution; and all Others to obey it according to the Fundamental Laws of the Land. But, his
 “ Majesty said, He, whom God had trusted to

“ maintain and defend those Fundamental Laws,
 “ which he hoped, God would bleſs to ſecure him, did
 “ declare, that there was no Legal Power in Either,
 “ or Both Houſes, upon any pretence whatſoever,
 “ without his Maſteſty's conſent, to Command any
 “ part of the Militia of the Kingdom; nor had the
 “ like ever been commanded by Either, or Both
 “ Houſes, ſince the firſt foundation of the Laws of
 “ the Land; and that the Execution of, or the
 “ Obedience to that pretended Ordinance, was
 “ againſt the Fundamental Laws of the Land, againſt
 “ the Liberty of the Subject, and the Right of Par-
 “ liaments, and a High Crime in any that ſhould
 “ execute the ſame: and his Maſteſty did therefore
 “ charge, and command all his loving Subjects of
 “ what degree, or quality ſoever, upon their Al-
 “ legiance, and as they tendered the peace of the
 “ Kingdom, from thenceforth not to Muſter, Levy,
 “ or Array, or Summon, or Warn any of the
 “ Trained-bands to riſe, Muſter, or March, by
 “ Virtue, or, under Color, of that pretended Or-
 “ dinance: and to that Declaration, and Command
 “ of his Maſteſty's, as he ſaid, he expected and re-
 “ quired a full Submission, and Obedience from all
 “ his loving Subjects, upon their Allegiance, as they
 “ would Answer the Contrary at their Perils, and
 “ as they tendered the upholding of the True Pro-
 “ teſtant Religion, the Safety of his Perſon, and
 “ his Royal Poſterity, the Peace, and being of the
 “ Kingdom.”

Notwithſtanding theſe ſharp Declarations (infallible
 Symptoms of ſharper Actions) which were with equal

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diligence dispersed by either side among the People, save that the Agents for the Parliament took as much care to Suppress the King's, as to Publish their own, whereas the King's desire was that they might be both impartially read and examined, and to that purpose always caused those from the Parliament to be Printed with his own, They had the power and skill to persuade Men, who, but by that persuasion, could have been Seduced, and without Seducing of whom they could have made but a very sorry progress in mischief, " that all would be well; that they " were well assured that the King would, in the " end, yield to what they desired; at least, that " they should prevail for a good Part, if not for All, " and that there should be no War:" though themselves well knew, that the fire was too much kindled, to be extinguished without a flame, and made preparations accordingly. For the raising and procuring of Money (besides the vast Sums collected and contributed for *Ireland*, which they disbursed very leisurely, the Supplies for that Kingdom, notwithstanding the importunity and complaint from thence, being not despatched thither, both in quantity and quality, with that Expedition as was pretended) they sent out very strict Warrants for the gathering all those Sums of Money, which had been granted by any Bills of Subsidy, or Poll-Bill; in the collection of all which there had been great negligence, probably that They might have it the more at their own disposal in their Need; by which they now recovered great Sums into their hands. For the raising of Men (though it was not Yet time for them to avow the raising

raising an Army) besides the disposing the whole Kingdom to Subject themselves to their Ordinance of the Militia, and, by That, lifting in all places Companies of Volunteers, who would be ready when they were called, they made more haste than they had done in the Levies of Men, both Horse and Foot, for the relief of *Ireland*, under Officers chosen, or approved by Themselves; and proposed the raising of an Army apart, of six or eight thousand, under the Command of the Lord *Wharton* (a man very fast to them) for *Munster*, under the style of the Adventurers Army, and to have no dependance upon, nor be subject to, the Lord Lieutenant of *Ireland*, but only to receive Orders from the two Houses, and from a Committee to be appointed by them, which should be always with that Army: but the King, easily discerning the consequence of that design, refused to grant such a Commission as they desired; so that they were forced to be content, only with the advantage of New Exclamations against the King, "for hindering the supplies for *Ireland*," upon the occasion of his denial of that unreasonable Commission, and to proceed in their Levies the ordinary way; which they did, with great Expedition. To confirm and encourage the Factionous and Schismatical Party of the Kingdom, which thought the pace towards the Reformation was not brisk, and furious enough, and was with great difficulty contained in so slow a March, They had, a little before, published a Declaration:

"That they intended a due, and necessary Reformation of the Government, and Liturgy of the

The two Houses Declaration.

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concerning a
Reformation
of the Liturgy

“ Church, and to take away nothing in the One or
“ the Other, but what should be Evil, and justly
“ Offensive, or at least Unnecessary, and Burdensome;
“ and, for the better effecting thereof, speedily to have
“ consultation with Godly and Learned Divines:
“ and, because that would never of itself attain the
“ end sought therein, they would therefore use their
“ utmost endeavours to establish Learned, and
“ Preaching Ministers, with a good and sufficient
“ maintenance throughout the whole Kingdom;
“ wherein many dark Corners were miserably desti-
“ tute of the means of Salvation, and many poor
“ Ministers wanted necessary provision.”

This Declaration, Printed, and appointed to be published by the Sheriffs in their several Counties, in all the Market-Towns-within the Kingdom of *England*, and Dominion of *Wales*, was not more intended to the heartening of those who were impatient for a Reformation (who in truth had so implicit a Faith in their Leaders, that they expected another manner of Reformation than was publicly promised) than to the lulling those asleep, who begun to be awake with the apprehension of that confusion, they apprehended from the practice and licence, they saw practised against the received Government, and Doctrine of the Church; and to be persuaded, that it was time to oppose that Current. And, in this project, they were not disappointed; for though this warily worded Declaration was evidence enough to Wise men, that They intended, and Logically comprehended, an Alteration as great, as has been since attempted, and made; yet to Lazy and Quiet men, who could not discern

consequences, and were not willing to Antedate their miseries, by suspecting worse was to come than they felt, or saw in their View, their fears were much abated, and the intentions of the Parliament seemed not so bad, as they had been told by some that they were: and as this very Declaration of a due Reformation to be made of the Government of the Church and the Liturgy, would, a year before, have given great Umbrage and Scandal to the People, when, generally, there was a due submission to the Government, and a singular reverence of the Liturgy of the Church of *England*; so Now, when there was a General fear and apprehension inculcated into them, of a purpose utterly to subvert the Government, and utterly to abolish the Liturgy, they thought the taking away nothing in the One or the Other, but what should be Evil, and Justly offensive, or, at least, Unnecessary and Burdensome, was an easy Composition; and so, by degrees, they suffered themselves to be still prevailed on towards ends they extremely abhorred; and what at first seemed Profane and Impious to them, in a little time appeared only Inconvenient; and what, in the beginning, they thought matter of Conscience and Religion, shortly after they looked upon, as somewhat rather to be Wished than positively Insisted on; and consequently not to be laid in the balance with the Public Peace, which they would imagine to be endangered by opposing the sense that then prevailed; and so, by Undervaluing many particulars (which they Truly esteemed) as rather to be consented to, than that the general should suffer, they Brought, or

B O O K V. Suffered the Public to be brought to all the sufferings it since underwent.

The Assembly
of Divines.

And now they showed what Consultation they meant to have with Godly and Learned Divines, and what Reformation they intended, by appointing the Knights and Burgeses to Bring in the Names of such Divines for the severall Counties, as they thought fit to constitute an Assembly for the framing a new Model for the Government of the Church, which was done accordingly; those who were true Sons of the Church, not so much as endeavouring the Nomination of Sober, and Learned Men abhorring such a Reformation, as begun with the Invasion, and Suppression of the Church's Rights in a Synod, as well known as *Magna Charta*; and if any well affected Member, not enough considering the scandal, and the consequence of that Violation, did Name an Orthodox, and well reputed Divine, to assist in that Assembly, it was Argument enough against him, that he was Nominated by a Person in whom they had no Confidence; and They only had reputation enough to Commend to this Consultation, who were known to desire the utter demolishing of the whole Fabric of the Church: so that of about one hundred and twenty, of which that Assembly was to consist (though, by the recommendation of two or three Members of the Commons, whom they were not willing to displease, and by the Authority of the Lords, who added a small Number to those named by the House of Commons, a few very Reverend, and Worthy men were inserted; yet of the whole Number) they were not above

Twenty, who were not declared, and avowed Enemies to the Doctrine, or Discipline of the Church of *England*; some of them infamous in their lives, and conversations; and most of them of very mean parts in Learning, if not of Scandalous Ignorance; and of no other reputation, than of malice to the Church of *England*; so that that Convention hath not Since produced any thing, that might not Then reasonably have been expected from it.

But that which gave greatest power, and strength to their growing Faction, was the severity they used against all those, of what Quality or degree soever, who opposed their Counsels, and Proceedings. If any Lord, who had any place of Honor, or Trust from the King, concurred not with them, they made an inquisition into the whole passages of his Life; and if they could find no Fault, or no Folly (for any Levity, or Indiscretion served for a Charge) to reproach him with, it was enough "that they could not Confide in him:" so they threatened the Earl of *Portland*, who with extraordinary vivacity crossed their Consultations, "that they would remove him from his Charge and Government of the Isle of *Wight*" (which at last they did *de facto*, by committing him to Prison without so much as assigning a Cause) and to that purpose, objected all the Acts of good fellowship; all the waste of Powder; and all the waste of Wine, in the drinking of Healths; and other Acts of Jollity, whenever he had been at his Government, from the first hour of his entering upon it: so that the Least inconvenience a man in their Disfavor was to expect, was to have

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his Name and Reputation used, for two or three hours, in the House of Commons with what Licence and Virulency they pleased. None were persecuted with more rigor, than the Clergy; whereof whosoever publicly, or privately, censured their Actions, or suspected their Intentions, was either committed to prison, or compelled to a chargeable and long Attendance, as inconvenient as Imprisonment. And this measure of proceeding was Equally, if not with More animosity, applied to those, who, in former times, had been looked upon by that Party with most reverence. On the contrary, whoever Concurred, Voted, and Sided with them, in their extravagant conclusions, let the infamy of his Former life, or Present practice be what it would; his injustice and oppression never so scandalous, and notorious; He was received, countenanced, and protected with marvellous demonstrations of Affection: so that, between those that Loved them, and those that Feared them, those that did not love the Church, and those that did not love some Churchmen; those whom the Court had oppressed, and those who had helped the Court to oppress Others; those who feared their Power, and those who feared their Justice; their Party was grown over the Kingdom, but especially in the City, justly Formidable.

In the mean time, the King omitted no opportunity to provide against the Storm he saw was coming; and, though he might not Yet own the apprehension of that danger he really found himself in, he neglected not the provision of what he thought most necessary for his defence; he caused all his

Declarations, Messages, and Answers, to be industriously communicated throughout his Dominions; of which he found good effects; and, by their reception, discovered that the People universally were not so irrecoverably poisoned, as he before had cause to fear: He caused private intimations to be given, and insinuations to be made to the Gentry “that Their presence would be acceptable to him;” and to those, who came to him, he used much gracious freedom, and expressed all possible demonstrations, that he was glad of their Attendance: so that, in a short time, the resort to *York* was very great; and, at least, a good face of a Court there.

Beyond the Seas, the Queen was as intent to do Her part; and to provide that so good Company, as she heard was daily gathered together about the King, should not be dissolved for want of Weapons to defend one another: and therefore, with as much secrecy, as could be used in those Cases, and in those places where she had so many Spies upon her, she caused, by the Sale or Pawning of her own, and some of the Crown-Jewels, a good quantity of Powder and Arms to be in a readiness in *Holland*, against the time that it should be found necessary to transport it to his Majesty: so that both Sides, whilst they entertained each other with discourses of Peace (which always carried a sharpness with them, that whetted their appetite to War) provided for that War, which they saw would not be prevented.

Hitherto the greatest Acts of Hostility, saving that at *Hull*, were performed by Votes, and Orders; for there was Yet no visible, formal execution of

BOOK V. the Ordinance for the Militia, in any one County of *England*: for the appearance of Volunteers in some factious Corporations was rather Countenanced, than positively Directed and Injoined by the Houses: and most places pretended an Authority, granted by the King in the Charters, by which those Corporations were erected, or constituted; but Now they thought it time to satisfy the King, and the People, that they were in Earnest (who were hardly persuaded, that they had in truth the courage to execute their own Ordinance) and Resolved, "that
 " on the tenth of *May*, they would have all the
 " Trained-bands of *London*, Mustered in the Fields,
 " where that exercise usually was performed;" and accordingly, on that day, their own new Officer, Serjeant-Major General *Shippon*, appeared in *Finsbury* Fields, with all the Trained-bands of *London* consisting of above eight thousand Soldiers, disposed into six Regiments, and under such Captains and Colonels, as they had cause to Confide in. At this first triumphant Muster, the Members of both Houses appeared in grofs; there being a Tent purposely set up for them, and an entertainment at the Charge of the City to the value of near a thousand pounds; all men presuming, that this example of *London*, with such ceremony and solemnity, would be easily followed throughout the Kingdom; and many believing, they had made no small progress towards the end they aimed at, by having engaged the very body of the City in a guilt equal to their own: for though they had before sufficient evidence of the Inclinations of the Mean, and Common people to

them, and reasonable assurance, that those in Authority would hardly be able to contain them; yet, till this day, they had no instance of the Concurrence of the City in an Act expressly Unlawful. But now they presumed all difficulties were over; and so sent their Directions to the Counties adjacent, speedily to execute the same Ordinance; and appointed all the Magazines of the several Counties of *England* and *Wales*, to such Custody, as their Lord Lieutenants, or their Deputy Lieutenants should appoint; and that not only the Counties should increase those Magazines to what proportion soever they thought convenient, but that any private Persons, that were well affected, should supply themselves with what Arms and Ammunition they pleased. By which means, besides the King's Magazines, all which were in their possession, they caused great quantities of all sorts of Arms to be provided, and disposed to such places, and Persons, as they thought fittest to be trusted; especially in those factious Corporations, which had listed most Volunteers for their Service.

The King now saw the Storm coming apace upon him; that (notwithstanding his Proclamation published against the Ordinance of the Militia, in which he set down the Laws and Statutes, which were infringed thereby, and by which the execution of that Ordinance would be no less than High-Treason) the Votes, and Declaration of both Houses "that those Proclamations, were illegal, and that those Acts of Parliaments could not Control the Acts, and Orders of both Houses (which the Subjects were, by the Fundamental Laws of the Kingdom,

BOOK V. “to obey)” prevailed so far, that obedience was given to them; that he was so far from being like to have *Hull* restored to him, that the Garrison there daily increased, and forced the Country to submit to such Commands, as they pleased to lay on them; and that Sir *John Hotham* was more likely to be able to Take *York*, than his Majesty to Recover *Hull*; he thought it, therefore, high time, by Their example, to put himself into a posture of Defence; the danger being much more Imminent to his Majesty, than to those who had begot that Ordinance. Hereupon, at a public meeting of the County, his Majesty declared “that he was Resolved, in regard
“of the Public distempers, and the neighbourhood
“of *Hull*, to have a Guard for his Person; but of
“such Persons, and with such Circumstances, as
“should administer no occasion of Jealousy to the
“most Suspicious; and wished the Gentlemen of
“Quality, who attended, to consider, and advise
“of the way:” Who shortly after (notwithstanding the opposition given by the Committee, which still resided there; and the Factious Party of the County, which was inflamed, and governed by them) expressed a great alacrity to comply with his Majesty’s desire, in whatsoever should be proposed to them; and a sense, “that they thought a sufficient Guard
“was very necessary for the Security of his Majesty’s
“Person.” Hereupon, the King appointed such Gentlemen as were willing, to list themselves into a Troop of Horse, and made the Prince of *Wales* their Captain; and made choice of One Regiment of the Trained-bands, consisting of about six hundred,

whom he caused, every *Saturday*, to be paid at his own charge; when he had little more in his Coffers, than would defray the weekly Expence of his Table: and this Troop, with this Regiment, was the Guard of his Person; it being first declared by his Majesty, "that no Person should be suffered, either in the Troop, or the Regiment, who did not, before his Admission into the Service, take the Oaths of Allegiance, and Supremacy;" that so he might be free from the scandal of entertaining Papists for his Security.

But this caution would not serve; the Fears and Jealousies were capable of no other Remedies, than such as were prescribed by those Physicians, who were practised in the Disease. As soon as the Intelligence was arrived at *London*, "that the King actually had a Guard" (though the Circumstances were as well known that were used in the raising it) both Houses published these three Votes, and dispersed them:

1. "That it appeared, that the King, seduced by wicked Counsel, intended to make War against the Parliament; who, in all their Consultations and Actions, had proposed no other end unto themselves, but the care of his Kingdoms, and the performance of all Duty, and Loyalty to his Person.
2. "That whensoever the King maketh War upon the Parliament, it is a breach of the Trust reposed in him by his People; contrary to his Oath; and tending to the Dissolution of the Government.
3. "That whosoever should Serve him, or Assist

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“ him in such Wars, are Traitors by the Funda-
“ mental Laws of the Kingdom; and have been so
“ adjudged by two Acts of Parliament, 2. *Rich.* 11.
“ and 1. *Henr.* 1v. and ought to suffer as Traitors.”

These lusty Votes they sent to the King to *York*,
together with a short Petition, in which they told
him.

The two
Houses Peti-
tion the King
to Dissolve
his Guards,
May 23.
1542.

“ That his Loyal Subjects, the Lords and Com-
“ mons in Parliament did humbly represent unto
“ his Majesty, that notwithstanding his frequent
“ professions to his Parliament, and the Kingdom,
“ that his desire, and intention was only the pre-
“ serving the true Protestant profession, the Laws
“ of the Land, the Liberty of his People, and the
“ Peace of the Kingdom; nevertheless, they per-
“ ceived with great grief, by his Speech of the
“ twelfth of *May*, and the Paper, printed in his
“ Majesty's Name, in the form of a Proclamation,
“ bearing date the fourteenth of *May*, and other
“ Evidences, that, under color of raising a Guard
“ to secure his Person, of which Guard (considering
“ the fidelity, and care of his Parliament) there
“ could be no use, his Majesty did command
“ Troops, both of Horse and Foot, to assemble
“ at *York*; the very beginnings whereof were appre-
“ hended by the Inhabitants of that County to be
“ an Affrightment, and Disturbance of his Liege
“ People, as appeared by their Petition presented
“ to him; the continuing; and increasing of which
“ Forces, was to his Parliament, and must needs be,
“ a just cause of great Jealousy, and Danger to his
“ whole Kingdom,

“ Therefore, they did humbly beseech his Majesty
 “ to Disband all such Forces, as, by his Command,
 “ were assembled, and relying for his Security (as
 “ his Predecessors had done) upon the Laws, and
 “ Affections of his People, he would be pleased to
 “ desist from any further designs of that nature,
 “ contenting himself with his usual, and ordinary
 “ Guards; otherwise, they should hold themselves
 “ bound in duty towards God, and the Trust re-
 “ posed in them by the People, and the Funda-
 “ mental Laws, and Constitutions of the Kingdom,
 “ to employ their care, and utmost power to secure
 “ the Parliament, and to preserve the Peace, and
 “ Quiet of the Kingdom.”

To this Petition, delivered publicly, and read
 with an equal confidence, by their Lieger Commit-
 tee, his Majesty Answered.

“ That he could not but extremely wonder, that
 “ the causeless Jealousies concerning his Majesty,
 “ raised and fomented by a Malignant Party in
 “ the Kingdom, which desired nothing more, than
 “ to snatch to themselves Particular advantages out
 “ of a general Combustion (which means of advan-
 “ tage should never be ministered to them by His
 “ fault, or seeking) should not be only able to seduce
 “ a Weak Party in the Kingdom, but seem to find
 “ so much Countenance even from both Houses,
 “ as that his raising of a Guard, without further
 “ design than for the safety of his Person, an Action
 “ so legal, in a Manner so peaceable, upon Causes
 “ so evident and necessary, should not only be
 “ looked upon, and Petitioned against by them, as

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His Majesty's
Answer.

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“ a cause of Jealousy ; but declared to be raising of
“ a War against them, contrary to his former pro-
“ fessions of his care of Religion, and Law : and
“ he no less wondered, that That Action of his
“ should be said to be apprehended by the Inhabit-
“ ants of that County, as an Affrightment, and
“ Disturbance to his People, having been as well
“ Received there, as it was every where to be Justi-
“ fied ; and (he spake of the general, not of a few
“ seduced Particulars) assisted, and sped by that
“ County, with that loyal Affection and Alacrity,
“ as was a most excellent example, set to the rest
“ of the Kingdom, of their care of his safety upon
“ all occasions ; and should never be forgotten by
“ Him, nor, he hoped, by his Posterity : but should
“ be ever paid to them, in that, which is the
“ proper expression of a Prince’s gratitude, a per-
“ petual, vigilant care to govern them justly, and
“ to preserve the only Rule, by which they can be
“ so governed, the Law of the Land ; and, he said,
“ he was confident, that, if they were Themselves
“ Eye-witnesses, they would so see the Contrary,
“ as to give little present Thanks, and, hereafter,
“ little Credit to their Informers ; and, if they had
“ no better information, and intelligence of the
“ Inclinations, and Affections of the rest of the
“ Kingdom, certainly the minds of his People
“ (which to some Ends, and Purposes, they did
“ represent) were but ill represented unto them.

“ He asked them, when they had so many Months
“ together not contented themselves to rely for
“ security, as their Predecessors had done, upon

“ the Affection of the People, but by their own B O O K
 “ Single Authority had raised to themselves a Guard V.
 “ (and that sometimes of no ordinary Numbers, and
 “ in no ordinary Way) and yet all those Pikes and
 “ Protestations, that Army, on One side, and that
 “ Navy, on the Other, had not persuaded his Ma-
 “ jesty to command them to disband their Forces;
 “ and to content themselves with their Ordinary,
 “ that was, No guard; or work in him an opinion
 “ that they appeared to levy War against him, or
 “ had any further design; how it was possible, that
 “ the same Persons should be so apt to suspect, and
 “ condemn his Majesty, who had been so unapt, in
 “ the Same matter, upon much More ground, to
 “ tax or suspect Them? This, he said, was his
 “ Case, notwithstanding the Care and Fidelity of
 “ his Parliament; his Fort was kept by armed men
 “ against him; his proper Goods first detained from
 “ him, and then, contrary to his command, by
 “ strong hand offered to be carried away; in which,
 “ at once, all his Property, as a Private person;
 “ all his Authority, as a King, was wrested from
 “ him, and yet for him to secure himself in a Legal
 “ way, that Sir *John Hotham* might not by the same
 “ Forces, or by more, raised by pretence of the
 “ same Authority (for he daily raised some, and it
 “ was no new thing for him to pretend orders,
 “ which he could not show) continue the War that
 “ he had levied against his Majesty; and as well
 “ imprison his Person, as detain his Goods; and as
 “ well shut him up in *York*, as shut him out of *Hull*;
 “ was now said to be esteemed a cause of great

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“ Jealousy to the Parliament, a raising a War against
 “ them, and of danger to the whole Kingdom :
 “ whilst these Injustices, and Indignities offered to
 “ him were countenanced by Them, who ought to
 “ be most forward in his Vindication, and their
 “ Punishment, in observation of their Oaths, and
 “ Trust reposed in them by the People, and to
 “ avoid the Dissolution of the present Government.
 “ Upon which Case, he said, the whole world was
 “ to judge, whether his Majesty had not reason,
 “ not wholly to rely upon the Care, and Fidelity
 “ of his Parliament, being so strangely blinded by
 “ malignant spirits, as not to perceive his Injuries;
 “ but to take some care of his own Person, and,
 “ in order to that, to make use of that Authority,
 “ which the Laws declared to be in his Majesty:
 “ and, whether that Petition, with such a threat-
 “ ening Conclusion, accompanied with more threat-
 “ ening Votes, gave him not cause, rather to increase,
 “ than to diminish his Guards; especially, since he
 “ had seen, before the Petition, a printed Paper
 “ dated the seventeenth of *May*, underwritten by
 “ the Clerk of the House of Commons, command-
 “ ing in the name of both Lords and Commons,
 “ the Sheriffs of all Counties to raise the power of
 “ all those Counties, to suppress such of his Subjects,
 “ as, by any of his Majesty’s commands, should be
 “ drawn together, and put (as that Paper called it)
 “ in a posture of War; charging all his Majesty’s
 “ Officers, and Subjects to assist them in it, at their
 “ Perils For though, he said, he could not suspect,
 “ that That Paper; or any bare Votes, not grounded
 “ upon

“ upon Law or Reason; or Quotations of repealed B O O K
 “ Statutes, as those were of the 2. *Rich.* 11. and 1. *Hen.* V.
 “ 14. should have any ill influence upon his good
 “ People, who knew their duties too well not to
 “ know that to take up Arms against those, who,
 “ upon a Legal command of his Majesty, came
 “ together to a most Legal end (that was, his Ma-
 “ jesty’s security, and preservation) were to levy
 “ War against his Majesty ; yet, if that Paper were
 “ really the Act of both Houses, he could not but
 “ look upon it, as the highest of Scorns and Indig-
 “ nities; First, to issue out Commands of Force
 “ against him; and, after those had appeared useless,
 “ to offer, by Petition, to persuade him to that
 “ which that Force should have effected.

“ He said, he concluded his Answer to their
 “ Petition with his Counsel to them, that they
 “ would join with him in exacting satisfaction for
 “ that unparalleled, and Yet unpunished Action of
 “ Sir *John Hotham*; and that they would command
 “ his Fort, and Goods to be returned to his own
 “ hands : that they would lay down all pretences
 “ (under pretence of Necessity, or declaring what
 “ is Law) to make Laws without his Majesty and,
 “ by consequence, but a Cipher of his Majesty :
 “ that they would declare effectually against Tu-
 “ mults, and call in such Pamphlets (punishing the
 “ Authors and Publishers of them) as seditiously
 “ endeavour to disable his Majesty from protecting
 “ his People, by weakening, by false Aspersions
 “ and new false Doctrines, His Authority with
 “ Them, and Their Confidence in Him : the par-
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 "said, he would long since have taken care, his
 "Learned Council should have been enabled to give
 "in evidence, if, upon his former offer, his Majesty
 "had received any return of encouragement from
 "them in it: and, he said, if they did That, they
 "would Then, and hardly till Then, persuade the
 "World, that they had discharged their duty to
 "God, the Trust reposed in them by the People,
 "and the Fundamental Laws, and Constitutions
 "of the Kingdom; and employed their care, and
 "utmost power, to secure the Parliament (for, he
 "said, He was still a part of the Parliament, and
 "should be, till this well tempered Monarchy was
 "turned to a Democracy) and to preserve the Peace
 "and Quiet of the Kingdom; which, together
 "with the Defence of the Protestant Religion, the
 "Laws of the Land, and his own just Prerogative
 "(as a part of, and a defence to those Laws) had
 "been the main End, which in his Consultations
 "and Actions, he had proposed to Himself."

It will be wondered at hereafter, that in a judging
 and discerning State, where Men had, or seemed to
 have, their faculties of reason, and understanding
 at the height; in a Kingdom Then-unapt, and gene-
 rally uninclined to War (how wantonly soever it
 hath Since seemed to throw away it's Peace) those
 Men, who had the skill and cunning, out of fro-
 ward and peevish humors and indispositions to com-
 pound Fears and Jealousies, and to animate and
 inflame those Fears and Jealousies into the most pro-
 digious, and the boldest Rebellion, that any Age,

or Country ever brought forth; who very well B O O K
 Saw, and Felt that the King had not only, to a V.
 degree, wound himself out of that Labyrinth, in
 which, four Months before, they had involved him,
 with their Privileges, Fears, and Jealousies; but
 had even so well informed the People, that they
 begun to question both their Logic and their Law,
 and to suspect, and censure the improvement, and
 gradation of their Fears, and the extent, and lati-
 tude of their Privileges; and that they were not
 only Denied by the King, what they required, but
 that the King's Reasons of His denial made very
 many conclude the Unreasonableness of Their de-
 mands: I say, it may seem strange, that these Men
 could entertain the hope, and confidence to obtrude
 such a Declaration, and Vote, upon the People,
 " that the King did intend to make War against
 " the Parliament;" when they were so far from
 apprehending, that he would be able to get an Army
 to disturb them, that they were most assured, he
 would not be able to get Bread to sustain Himself
 three Months, without submitting all his Counsels
 to Their conduct, and control; and that the offer-
 ing to impose it, did not awaken the People to an
 indignation, which might have confounded them:
 for, besides their Presumption in endeavouring to
 Search, what the Scripture itself told them was Un-
 searchable, the Heart of the King; the very Law of
 the Land, whose defence they pretended, makes
 no conclusion of the Intention of the meanest Subject,
 in a matter of the highest, and tenderest consid-
 eration, even Treason itself against the life of the

BOOK King, without some overt, unlawful Act, from
V. whence, and other circumstances, the ill Intention may be Reasonably made appear; and therefore, to declare that the King intended to make War against his Parliament, when he had neither Ship, Harbour, Arms nor Money, and knew not how to get any of them, and when he offered to Grant any thing to them, which they could pretend a justifiable reason for Asking, was an undertaking of that Nature, that even the Almightyness of a Parliament might have despaired to succeed in.

But, notwithstanding all this, they very well knew What they did, and understood what infinite advantage that Vote would (as it did) bring to them; and, that a Natural way would never bring them to their Unnatural end. The power and reputation of Parliament, they believed, would Implicitly prevail over many; and amaze and terrify others from disputing, or censuring What they did, and upon what Grounds they did it. The difficulty was, to procure the judgment of Parliament; and to incline those different constitutions, and different affections, to such a Concurrence, as the judgment might not be discredited, by the Number of the Dissenters; nor wounded, or prejudged by the Reasons, and Arguments given against it: and then, their judgments of the Cure being to be grounded upon the nature, and information of the Disease, it was necessary to confine, and contract their fancies and opinions within some bounds, and limits: the mystery of Rebellion challenging the same encouragement with other Sciences, to grow by; that

there may be certain Postulata, some Principles and Foundations, upon which the main building may subsist. So, in the case of the Militia, an Imminent danger must be first Supposed, by which the Kingdom is in apparent hazard, and then the King's refusal to apply any remedy against that danger, before the two Houses would pretend to the power of disposing that Militia: it being too ridiculous to have pretended the natural and ordinary Jurisdiction over it: but, in case of danger, and danger so Imminent, that the Usual recourse would not serve the turn, and for the saving of a Kingdom, which must Otherwise be lost, many Good men thought it was reasonable to apply a very Extraordinary prevention, without imagining such a supposition might possibly engage them in any Action, contrary to their own Inclinations, and, without doubt, very many who frankly Voted that Imminent necessity, were induced to it, as an Argument, that the King should be therefore importuned to consent to the Settlement; which would not have appeared so necessary a Request, if the occasion had not been Important; never suspecting, that it would have been improved into an Argument to them, to adventure the doing it without the King's consent. And it is not here unreasonable (how merry soever it may seem to be) as an instance of the Incogitancy, and Inadvertency of those kind of Votes and Transactions, to remember that the first Resolution of the Power of the Militia being grounded upon a Supposition of an Imminent necessity, the Ordinance first sent up, from the Commons, to the Lords,

B O O K for the execution of the Militia, expressed an *eminent* necessity; whereupon, some Lords, who understood the difference of the words, and that an *Eminent* necessity might be supplied by the ordinary provision, which, possibly, an *imminent* necessity might not safely attend, desired a Conference with the Commons, for the Amendment: which, I remember, was at last, with great difficulty, consented to: many (who, I presume, are not yet grown up to conceive the difference) supposing it an unnecessary contention for a Word, and so yielding to them, for saving of time, rather than dispute a thing which to Them seemed of no great moment.

They, who contrived this Scene, never doubted, but after a Resolution what was to be done upon a Supposed necessity, they should easily, when they found it Convenient, make that necessity Real. It was no hard matter to make the Fearful, apprehensive of Dangers; and the Jealous, of Designs; and they wanted not Evidence of all kinds; of Letters from abroad, and Discoveries at home, to make those apprehensions formidable enough; and then, though, Before the Resolution, there was a great latitude in Law and Reason, what was Lawfully to be done, they had Now forejudged themselves, and Resolved on the Proper remedy, except they would argue against the Evidence; which Usually would have been to discountenance, or undervalue some Person of notable reputation, or his Correspondence; and always to have opposed That that was of such an Allay, as, in-truth, did operate

upon the Major part. So, in the Case upon which we now discourse, if they had, in the most advantageous Article of their fury, professed the raising an Army against the King, there was yet that reverence to Majesty, and that Spirit of Subjection and Allegiance in most Men, that they would have looked upon it with Opposition, and Horror: but Defensive Arms were more plausible Divinity, and if the King Should commit such an Outrage, as to levy War against his Parliament, to destroy the Religion, Laws, and Liberty of the Kingdom, Good men were persuaded, that such a resistance might be made, as might preserve the Whole; and he that would have argued against this Thesis, besides the Impertinency of arguing against a supposition, that was not like to be Real, and in which the Corrupt consideration of Safety seemed to bribe most Men, could never escape the censure of promoting Tyranny, and lawless Dominion. Then to incline Men to concur in the Declaration "of the King's Intention to make War against the Parliament," they were persuaded it might have a Good, and Could have no ill effect: the remedies, that were to be applied upon an Actual levying of War, were not justifiable upon the Intention; and the declaring this Intention, and the Dangers it carried with it to the King himself, and to all those who should assist him, would be a probable means of reforming such Intention, and preventing the Execution: Inconvenience it could produce none (for the disquieting, or displeasing the King was not thought Inconvenient) if there were no progress in the supposed

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Intention; if there were, it were fit the whole Kingdom should stand upon it's Guard, and not be Surprised to it's confusion.

By these false, and fallacious Mediums, the clearness of Men's understandings were dazzled; and, upon the matter, all their opinions, and judgments for the Future, captivated and pre-engaged by their own Votes, and Determinations. For, how easy a matter is it to make it appear to that man, who consented that the King Intended to make War against the Parliament, that when he should Do it, he had broken his Oath, and dissolved his Government; and, that whosoever should assist him were Traitors? I say, how easy was it to persuade That man, that he was obliged to defend the Parliament; to endeavour to uphold That Government; and to resist Those Traitors? and, whosoever considers that the nature of men, especially of men in Authority, is inclined rather to Commit two errors, than to Retract one, will not marvel, that from this Root of unadvisedness, so many, and tall Branches of mischief have proceeded. And therefore, it were to be wished, that those who have the honor to be trusted in Public Consultations, were indued with so much natural Logic, to discern the consequences of every public Act, and Conclusion; and with so much Conscience and Courage, to watch the First impressions upon their understanding and compliance: and that, neither out of the Impertinency of the thing, which men are all apt to conclude out of impatience of despatch; or out of Stratagem to make men Odious (as in this Parlia-

ment many forbore to oppose unreasonable resolutions, out of an opinion that they would make the contrivers Odious) or upon any other (though seeming never so Politic) considerations, they consent not to any Propositions, by which Truth or Justice are invaded. I am confident, with very good Warrant, that many men have, from their Souls, abhorred every Article of this Rebellion; and heartily deprecated the miseries, and desolation we have suffered by it, who have Themselves, with great alacrity and industry, contributed to, if not contrived, those very Votes and Conclusions, from whence the Evils they abhor, have most naturally and regularly flowed, and been deduced; and which they could not reasonably, upon their own concessions, contradict and oppose.

But to conclude, a man shall not unprofitably spend his contemplation, that, upon this occasion, considers the method of God's Justice (a method terribly remarkable in many Passages, and upon many Persons; which we shall be compelled to remember in this discourse) that the same Principles, and the same Application of those Principles, should be used to the wresting all Sovereign Power from the Crown, which the Crown had a little before made use of for the extending it's Authority, and Power, beyond it's bounds, to the prejudice of the just Rights of the Subject. A supposed Necessity was Then thought ground enough to create a Power, and a bare Averment of that Necessity, to beget a Practice to impose what Tax they thought convenient upon the Subject, by Writs of Ship-money

B O O K never before known; and a supposed Necessity now,
V. and a bare Averment of that Necessity, is as confidently, and more Fatally, concluded a good ground to exclude the Crown from the use of any Power, by an Ordinance never before heard of; and the same Maxim of *Salus populi Suprema Lex*, which had been used to the infringing the Liberty of the One, made use of for the destroying the Rights of the Other: only that of the Psalmist is yet Inverted; for many of those, who were the Principal makers of the first Pit, are so far falling into it, that they have been the chiefest Diggers of the second Ditch, in which so many have been confounded.

Though they had yet no real Apprehension, that the King would be able, in the least degree, to raise a Force against them, yet they were heartily enraged to find that he lived more like a King, than they wished he should; that there was so great resort to him from all parts; and that whereas little more than two Months before, his own Servants durst hardly avow the waiting on him, Now the chief Gentlemen of all Counties Travelled to him, to tender their Service; which implied a Disapprobation at least, if not a Contempt of the two Houses' carriage towards him. Therefore, to prevent this mischief, they easily found exception to, and information against, some Persons, who had resorted to *York*; whom they sent the Serjeant of the House of Commons to apprehend, and bring them before the House as Delinquents, to Answer such matters, as should be objected against them. In this Number there was one *Beckwith*, a Gentleman of *Yorkshire*,

who, as Sir *John Hotham* had sent them word, had endeavoured to corrupt some Officers of the Garrison to deliver *Hull* up to the King; this they declared to be a very heinous crime, and little less than High-Treason, and therefore concluded him a Delinquent, and to be sent for to attend them: it was thought strangely ridiculous by Standers by, that Sir *John Hotham* should be justified for keeping the Town against the King, and another Gentleman be Voted a Delinquent for designing to recover it to it's Allegiance; and that They, who, but few days before, when the King had sent a Warrant to require Serjeant-Major *Skippon* to attend his Majesty at *York*, Resolved, and published their Resolution in Print (as they did all things, which they conceived might diminish the Reputation of the King, or his Authority) "That such Command from his Majesty
 " was against the Law of the Land, and the Liberty
 " of the Subject, and likewise (the Person being
 " employed by Them to attend Their Service) against
 " the Privilege of Parliament; and therefore, that
 " their Serjeant-Major-General of the Forces of
 " *London* (that was his Style) should continue to
 " attend the Service of both Houses (according to
 " their former Commands;" should expect that their Warrant should be submitted to by those, who were waiting on the King, whose known legal Authority, severed from any thing that might be understood to relate to the Parliament, or it's Privileges, they had so flatly contradicted and contemned, that the same day on which they redeemed their Officer *Skippon* from his Allegiance, and Duty of

B O O K going to the King, being informed, that the King had sent a Writ to Adjourn the Term (Midsummer Term) to *York* from *Westminster*, which, without all question, was in his power Legally to do, they declared, "That the King's removing of the Term "to *York* from *Westminster*, sitting the Parliament, "was illegal;" and Ordered, "that the Lord "Keeper should not issue out any Writs, or Seal "any Proclamation, to that purpose;" which was by him observed accordingly, notwithstanding the King's Command for the Adjournment.

When their Officer came to *York* for the apprehension of the Delinquents, he found the same neglect There of the Parliament, as was found Above of the King; and was so ill treated by those, whom he looked upon as his Prisoners, that, if the King's extraordinary provision had not been interposed, the Messenger would scarce have returned to have reported how uncurrent such Warrants were like to be in *York*, and how perilous such Voyages might prove to the Adventurers: But how amazed, or surprised soever they seemed to be with this new contradiction, it was no more than they looked for, for their Dilemma was, if their Messenger returned with his Prize, all the resort to, and all the glory of *York* was determined; for no Man would repair thither, from whence the bare Voting him a Delinquent would remove him with those other inconvenient Circumstances of Censure, and Imprisonment: if He returned neglected and affronted, as they presumed he would, they had a new Reproach for the King, "of protecting Delinquents against the

“Justice of Parliament;” which would be a New BOOK
 breach of their Privileges, as Heinous and Unpopular, V.
 as had yet been made, and for the vindication where-
 of their Protestation would no less oblige them, than
 it had done on the behalf of the five Members. And
 such Votes they passed upon the return of their
 Officer; and had in readiness prepared two volumi-
 nous Declarations to the People, which they publish-
 ed about the same time; the One filled with all the
 reiterated Complaints, and envenomed repetitions, of
 what had been done, or been Thought to have been
 done amiss in the whole Reign of the King, to render
 his Person odious, or unacceptable; the Other under-
 valuing his Royal Power, and declaring against it;
 to make his Authority despised, at least not Feared.

The first was of the nineteenth of *May*, in which
 They declared,

“That the infinite Mercy, and Providence of
 “the Almighty God had been abundantly mani-
 “fested, since the beginning of this Parliament, in
 “great variety of Protections, and Blessings; where-
 “by he had not only delivered Them from many
 “wicked Plots and Designs, which, if they had
 “taken effect, would have brought Ruin and Def-
 “truction upon the Kingdom; but, out of those
 “Attempts, had produced divers evident and re-
 “markable Advantages, to the furtherance of those
 “Services, which they had been desirous to perform
 “to their Sovereign Lord the King, and to the
 “Church and State, in providing for the public
 “Peace, and Prosperity of his Majesty, and all
 “his Realms; which, in the presence of the same

*The Declara-
 tion or Remon-
 strance of the
 Lords and
 Commons,
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" All-seeing Deity, they protested to have been, and still to be, the only End of all their Counsels and Endeavours; wherein they had Resolved to continue freed, and enlarged from all Private aims, Personal respects, or Passions whatsoever.

" In which Resolution, they said, they were nothing discouraged, although the Heads of the Malignant Party disappointed of their Prey, the Religion and Liberty of the Kingdom, which they were ready to seize upon, and devour before the beginning of this Parliament, had still persisted by new Practices, both of force and subtilty, to recover the same again; for which purpose they had made several Attempts for bringing up the Army; they afterwards projected the false Accusation of the Lord *Kimbolton*, and the five Members of the House of Commons, which being in itself of an odious Nature, they had yet so far prevailed with his Majesty, as to procure him to take it upon himself; but when the unchangeable Duty and Faithfulness of Parliament could not be wrought upon, by such a Fact as that, to withdraw any part of their Reverence and Obedience from his Majesty, they had, with much Art and Industry, advised his Majesty to suffer divers unjust Scandals, and Imputations upon the Parliament, to be published in his Name, whereby they might make it odious to the People, and by Their help, destroy that, which hitherto had been the only means of their own Preservation.

" For this purpose, they had drawn his Majesty into the Northern Parts far from the Parliament;

“ that so false Rumors might have time to get
 “ Credit, and the just Defences of the Parliament
 “ find a more tedious, difficult, and disadvantageous
 “ Access, after those false Imputations, and Slan-
 “ ders had been first rooted in the apprehension of
 “ his Majesty, and his Subjects; which the more
 “ speedily to effect, they had caused a Press to be
 “ transported to *York*, from whence several Papers,
 “ and Writings of that kind were conveyed to all
 “ parts of the Kingdom, without the Authority of
 “ the Great Seal, in an unusual and illegal manner,
 “ and without the Advice of his Majesty’s Privy-
 “ Council; from the greater and better part whereof
 “ having withdrawn himself, as well as from his
 “ Great Council of Parliament, he was thereby ex-
 “ posed to the wicked and unfaithful Counsels of
 “ such, as had made the Wisdom and Justice of the
 “ Parliament dangerous to themselves; and that
 “ danger they labored to prevent by hiding their own
 “ Guilt under the Name, and shadow of the King;
 “ infusing into him their own Fears, as much as in
 “ them lay, aspersing his Royal Person and Honor
 “ with their own Infamy; from both which it had
 “ always been as much the Care, as it was the Duty,
 “ of the Parliament to preserve his Majesty, and to
 “ fix the Guilt of all evil Actions and Counsels upon
 “ those who had been the Authors of them.

“ Among divers Writings of that kind, they said,
 “ They the Lords and Commons in Parliament, had
 “ taken into their considerations two Printed Papers;
 “ the first containing a Declaration, which they had
 “ received from his Majesty in Answer to that which

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“ had been presented to his Majesty from both
 “ Houses at *New-Market*, the ninth of *March* 1641.
 “ the other, his Majesty's Answer to the Petition of
 “ both Houses, presented to his Majesty the 26th of
 “ *March* 1642. Both which were filled with harsh Cen-
 “ sures, and causeless Charges upon the Parliament;
 “ concerning which they held it necessary to give
 “ satisfaction to the Kingdom; seeing they found it
 “ very difficult to satisfy his Majesty, whom, to
 “ their great grief, they had found to be so engaged
 “ to, and possessed by those misapprehensions, which
 “ evil Counsellors have wrought in him, that their
 “ most humble and faithful Remonstrances had rather
 “ irritated and embittered, than any thing allayed,
 “ or mitigated the sharp Expressions, which his
 “ Majesty had been pleased to make, in Answer
 “ to them; for the manifestation whereof, and of
 “ their own Innocency, they desired that all his
 “ Majesty's loving Subjects might take notice of the
 “ Particulars :

“ They knew no occasion given by them, which
 “ might move his Majesty to tell them, that in their
 “ Declaration, presented at *New-Market*, there were
 “ some Expressions different from the usual Language
 “ to Princes: neither did they tell his Majesty, either
 “ in Words or in Effect, that if he did not join with
 “ them in an Act, which he conceived might prove
 “ prejudicial and dangerous to Himself, and the
 “ whole Kingdom, they would make a Law without
 “ Him, and impose it upon the People. That
 “ which they desired, they said, was, that in regard
 “ of the Imminent Danger of the Kingdom, the
 “ Militia,

“ Militia, for the Security of his Majesty and his
 “ People, might be put under the Command of
 “ such noble, and faithful Persons, as they had all
 “ cause to Confide in: and such was the necessity of
 “ this Preservation, that they declared, that if his
 “ Majesty should refuse to join with them therein,
 “ the two Houses of Parliament, being the supreme
 “ Court and highest Council of the Kingdom, were
 “ enabled, by their own Authority, to provide
 “ for the repulsing of such Imminent and Evident
 “ Danger, not by any New Law of their own
 “ making, as had been untruly suggested to his
 “ Majesty, but by the most Ancient Law of the
 “ Kingdom, even that which is fundamental and
 “ essential to the Constitution and Subsistence of it.
 “ Although they never desired, they said, to
 “ encourage his Majesty to such Replies as might
 “ produce any contestation between him and his
 “ Parliament, of which they never found better
 “ effect, than loss of Time, and hindrance of the
 “ Public Affairs; yet they had been far from telling
 “ him of how little value his Words would be with
 “ them, much less when they were accompanied
 “ with Actions of Love, and Justice. They said,
 “ he had more reason to find fault with those wicked
 “ Counsellors, who had so often bereaved Him of
 “ the Honor, and his People of the Fruit of so many
 “ gracious Speeches which he had made to them,
 “ such as those in the end of the last Parliament; that,
 “ on the word of a King, and as he was a Gentleman,
 “ he would redress the Grievances of his People, as
 “ well out of Parliament, as in it. They asked, if
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“ the searching the Studies and Chambers, yea, the
 “ Pockets of some, both of the Nobility and Com-
 “ mons, the very next day; the Commitment of
 “ Mr. *Bellasis*, Sir *John Hotham*, and Mr. *Crew*;
 “ the continued Oppressions by Ship-money, Coat
 “ and Conduct money; with the manifold Imprison-
 “ ments, and other Vexations thereupon, and other
 “ ensuing Violations of the Laws and Liberties of
 “ the Kingdom (all which were the effects of evil
 “ Counsel, and abundantly declared in the Remon-
 “ strance of the State of the Kingdom) were Actions
 “ of Love and Justice, suitable to such Words as
 “ those?

“ As gracious was his Majesty's Speech in the
 “ beginning of this Parliament; that he was Re-
 “ solved to put himself freely and clearly upon the
 “ Love, and Affection of his English Subjects. They
 “ asked whether his causeless Complaints and Jeal-
 “ ousies, the unjust Imputations so often cast upon
 “ his Parliament, his denial of their necessary Defence
 “ by the Ordinance of the Militia, his dangerous
 “ absenting himself from his Great-Council, like to
 “ produce such a mischievous Division in the King-
 “ dom, had not been more suitable to other Men's
 “ evil Counsels, than to his own Words? Neither,
 “ they said, had his latter Speeches been better used,
 “ and preserved by those evil, and wicked Coun-
 “ sellors: Could any Words be fuller of Love and
 “ Justice, than those in his Answer to the Message
 “ sent to the House of Commons, the 31st of *Decemb.*
 “ 1641. We do engage unto you solemnly the Word
 “ of a King, that the Security of all, and every one

“ of you from Violence; is, and ever shall be, as
 “ much our Care, as the Preservation of Us and our
 “ Children? And could any Actions be fuller of
 “ Injustice and Violence, than that of the Attorney
 “ General, in falsely accusing the six Members of
 “ Parliament, and the other Proceedings thereupon,
 “ within three or four days after that Message? For
 “ the full view whereof, they desired the Declaration
 “ made of those Proceedings might be perused; and
 “ by those Instances (they could add many more)
 “ the World might judge who deserved to be taxed
 “ with disvaluing his Majesty’s Words, they who
 “ had, as much as in them lay, stained and sullied
 “ them with such foul Counsels; or the Parliament,
 “ who had ever manifested, with joy and delight,
 “ their humble Thankfulness for those gracious
 “ Words, and Actions of Love and Justice, which
 “ had been conformable thereunto.

“ The King, they said, had been pleased to
 “ Disavow the having, any such evil Counsel or
 “ Counsellors as were mentioned in their Declara-
 “ tion, to his Knowledge; and they held it their
 “ Duty humbly to Avow there were such; or else
 “ they must say, that all the ill things done of late
 “ in his Majesty’s name, had been done by Himself;
 “ wherein they should neither follow the Direction
 “ of the Law, nor the affection of their own Hearts,
 “ which was, as much as might be, to clear his
 “ Majesty from all imputation of Misgovernment,
 “ and to lay the fault upon his Ministers. The false
 “ accusing of six Members of Parliament; the jus-
 “ tifying Mr. Attorney in that false accusation; the

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“ violent coming to the House of Commons; the
“ denial of the Militia; the sharp Messages to both
“ Houses, contrary to the customs of former Kings;
“ the long and remote Absence of his Majesty from
“ Parliament; the heavy and wrongful Taxes upon
“ both Houses; the cherishing and countenancing
“ a discontented Party in the Kingdom against them,
“ were certainly the fruits of very evil Counsels,
“ apt to put the Kingdom into a Combustion, to
“ hinder the supplies of *Ireland*, and to countenance
“ the Proceedings and pretensions of the Rebels
“ there: and the Authors of these evil Counsels,
“ they conceived, must needs be known to his
“ Majesty; and they hoped Their laboring with his
“ Majesty, to have those discovered and brought
“ to a just Censure, would not so much wound his
“ Honor in the opinion of his good Subjects, as
“ His laboring to preserve and conceal them.

“ And whereas his Majesty had said, He could
“ wish that his own immediate Actions which he
“ avowed, and his own Honor might not be so
“ roughly censured under the common Style of evil
“ Counsellors; they said, that They could also
“ heartily wish that they had not cause to make
“ that Style so common; but how often, and un-
“ dutiful soever, those wicked Counsellors should
“ fix their Dishonor upon the King, by making his
“ Majesty the Author of those evil Actions, which
“ were the effects of their own evil Counsels, They,
“ his Majesty's Loyal and Dutiful Subjects could
“ use no other Style, according to that Maxim of
“ the Law, *the King can do no wrong*; but if any ill

“ were committed in matter of State, the Council; B O O K
 “ if in matter of Justice, the Judges must answer V.
 “ for it.

“ They said, They had laid no Charge upon his
 “ Majesty, which should put him upon that Apo-
 “ logy, concerning his faithful and zealous Affection
 “ of the Protestant Profession: neither did his Ma-
 “ jesty endeavour to clear those in greatest Authority
 “ about him, by whom they had said that design
 “ had been potently Carried on for divers Years;
 “ and they rather wished that the Mercies of Heaven,
 “ than the Judgments, might be manifested upon
 “ them; but that there had been such, there were
 “ such plentiful and frequent Evidences, that they
 “ believed there was none, either Protestant or
 “ Papist, who had had any reasonable view of the
 “ Passages of later Times, but, either in Fear or
 “ Hope, did expect a sudden issue of that Design.

“ They said, they had no way transgressed against
 “ the Act of Oblivion, by remembering the intended
 “ War against *Scotland*, as a Branch of that Design
 “ to alter Religion by those wicked Counsels, from
 “ which God did then deliver them, which they
 “ ought never to forget.

“ That the Rebellion in *Ireland* was framed and
 “ cherished by the Popish, and Malignant Party
 “ in *England*, was not only affirmed by the Rebels,
 “ but, they said, might be cleared by many other
 “ Proofs: the same Rebellious Principles of pretended
 “ Religion, the same politic Ends were apparent in
 “ both, and their malicious Designs and Practices
 “ were masqued, and disguised with the same false

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“ color of their earnest Zeal to vindicate his Majesty's Prerogative, from the supposed oppression of the Parliament. How much those treacherous Pretences had been countenanced, by some evil Council about his Majesty, might appear in this, that the Proclamation, whereby they were declared Traitors, was so long withheld, as to the second of *January*, though the Rebellion broke forth in *October* before, and then no more than forty Copies appointed to be printed; with a special Command from his Majesty not to exceed that Number; and that none of them should be published, till his Majesty's pleasure, was further signified, as by the Warrant appears, a true Copy whereof was annexed to this Declaration; so that a few only could take notice of it; which was made more observable, by the late contrary Proceedings against the Scots, who were in a very quick and sharp manner Proclaimed; and those Proclamations forthwith dispersed, with as much diligence as might be, throughout all the Kingdom, and ordered to be read in all Churches, accompanied with Public Prayers, and Execrations. Another Evidence of favor and countenance to the Rebels in some of Power about his Majesty, was this, that they had put forth in his Majesty's Name, a causeless complaint against the Parliament, which speaks the same Language of the Parliament which the Rebels do, thereby to raise a belief in men's minds, that his Majesty's Affections were alienated, as well as his Person was removed, from that his Great-Council. All which; they said,

“ did exceedingly retard the supplies of *Ireland*, and
 “ more advance the Proceedings of the Rebels, than
 “ any Jealousy or misapprehension begotten in his
 “ Subjects, by the Declaration of the Rebels, In-
 “ junction of *Rosetti*, or Information of *Tristram*
 “ *Whetcomb*; so that, considering the present State
 “ and Temper of both Kingdoms, his Royal Pre-
 “ sence was far more necessary here, than it could
 “ be in *Ireland*, for redemption or protection of his
 “ Subjects there.

“ And whether there were cause of his Majesty’s
 “ great Indignation, for being reproached to have
 “ intended Force or Threatening to the Parliament,
 “ they desired them to consider who should read
 “ their Declaration, in which there was no word
 “ tending to any such reproach; and certainly, they
 “ said, they had been more tender of his Majesty’s
 “ Honor in that Point, than he, whosoever he
 “ was, that did write that Declaration; where, in
 “ his Majesty’s Name, he did call God to witness,
 “ he never had any such Thought, or knew of
 “ any such Resolution of bringing up the Army;
 “ which truly, they said, would seem strange to
 “ those, who should read the Deposition of Mr.
 “ *Goring*, the Information of Mr. *Piercy*, and divers
 “ other Examinations of Mr. *Wilmot*, Mr. *Pollard*,
 “ and others; the other Examination of Captain *Leg*,
 “ Sir *Jacob Ashley*, and Sir *John Conyers*; and con-
 “ sider the condition and nature of the Petition,
 “ which was sent unto Sir *Jacob Ashley*, under the
 “ approbation of C. R. which his Majesty had now
 “ acknowledged to be his own Hand; and, being

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“ full of Scandal of the Parliament, might have
“ proved dangerous to the whole Kingdom, if the
“ Army should have interposed betwixt the King
“ and them, as was desired.

“ They did not affirm that his Majesty's Warrant
“ was granted for the Passage of Mr *Jermyn*, after
“ the desire of both Houses for restraint of his Ser-
“ vants; but only that he did pass over, after that
“ restraint, by virtue of such a Warrant. They
“ knew the Warrant bore date the day before their
“ desire; yet, they said, it seemed strange to those,
“ who knew how great respect and power Mr.
“ *Jermyn* had in Court, that he should begin his
“ Journey in such haste, and in Apparel so unfit for
“ Travel, as a black Sattin Suit, and white Boots,
“ if his going away was designed the day before.

“ The Accusation of the Lord *Kimbolton*, and
“ the five Members of the House of Commons, was
“ called a Breach of Privilege; and truly so it was,
“ and a very high one, far above any satisfaction
“ that had been yet given: for, they asked, how
“ it could be said to be largely satisfied, so long
“ as his Majesty labored to preserve Mr. Attorney
“ from punishment, who was the visible Actor in
“ it? So long as his Majesty had not only justified
“ him, but by his Letter declared, that it was his
“ Duty to accuse them, and that he would have
“ punished him, if he had Not done it? So long
“ as those Members had not the means of clearing
“ their Innocency and the Authors of that malicious
“ Charge were undiscovered, though both Houses
“ of Parliament had several times Petitioned his

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“ Majesty to discover them, and that, not only
 “ upon the grounds of Common Justice, but by Act
 “ of Parliament, his Majesty was bound to do it?
 “ So long as the King refused to pass a Bill for their
 “ discharge, alledging that the Narrative in that
 “ Bill was against his Honor; whereby he seemed
 “ still to avow the Matter of that false and scanda-
 “ lous Accusation, though he deserted the Prosecu-
 “ tion, offering to pass a Bill for their Acquittal;
 “ yet with intimation that they must desert the
 “ avowing their own Innocency, which would more
 “ wound them in Honor, than secure them in Law?
 “ And in Vindication of that great Privilege of Par-
 “ liament, they did not know that they had invaded
 “ any Privilege belonging to his Majesty, as had
 “ been alledged in that Declaration.

“ But, they said, they looked not upon that only
 “ in the notion of a Breach of Privilege, which
 “ might be, though the Accusation were true or
 “ false; but under the notion of a heinous Crime in
 “ the Attorney, and all other Subjects, who had
 “ a hand in it; a Crime against the Law of Nature,
 “ against the Rules of Justice; that Innocent men
 “ should be charged with so great an offence as
 “ Treason, in the face of the highest Judicatory of
 “ the Kingdom. whereby their Lives and Estates,
 “ their Blood and Honor were endangered, without
 “ Witnesses, without Evidence, without all possibi-
 “ lity of Reparation in a legal Course; yet a Crime
 “ of such a nature, that his Majesty’s command
 “ can no more warrant, than it can any other Act
 “ of Injustice. These things which were evil in

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“ their own nature, such as a false Testimony or
 “ false Accusation, could not be the subject of any
 “ Command, or induce any Obligation of Obe-
 “ dience upon any man, by any Authority what-
 “ soever: therefore the Attorney, in that case, was
 “ bound to have refused to execute such a Com-
 “ mand, unless he had some such Evidence or Tes-
 “ timony, as might have warranted him against
 “ the Parties, and be liable to make satisfaction if
 “ it should prove false; and it was sufficiently
 “ known to every man, and adjudged in Parlia-
 “ ment, that the King could be neither the Relator,
 “ Informer, or Witness. If it should rest as it was,
 “ without further satisfaction, no future Parliament
 “ could be safe, but that the Members might be
 “ taken, and destroyed, at pleasure; yea the very
 “ principles of Government, and Justice would be
 “ in danger to be dissolved.

“ They said, they did not conceive, that Num-
 “ bers did make an Assembly unlawful, but when
 “ either the end, or manner of their carriage should
 “ be unlawful. Divers just Occasions might draw
 “ the Citizens to *Westminster*; where many public
 “ and private Petitions, and other Causes were de-
 “ pending in Parliament; and why that should be
 “ found more faulty in the Citizens, than the resort
 “ every day in the Term of great Numbers to the
 “ ordinary Courts of Justice; they knew not: that
 “ those Citizens were notoriously provoked, and
 “ assaulted at *Westminster* by Colonel *Lunsford*, Cap-
 “ tain *Hyde*, and others, and by some of the Ser-
 “ vants of the Arch-Bishop of *York*, was sufficiently

“ proved; and that afterwards they were more
 “ violently wounded, and most barbarously man-
 “ gled with Swords, by the Officers and Soldiers
 “ near *White-Hall*, many of them being without
 “ Weapons, and giving no cause of distaste, was
 “ likewise proved by several Testimonies; but of
 “ any scandalous or seditious misdemeanours of
 “ Theirs, that might give his Majesty good cause
 “ to suppose his own Person, or those of his Royal
 “ Comfort or Children, to be in apparent danger,
 “ they had no proof ever offered to either House;
 “ and if there had been any complaint of that kind,
 “ it was no doubt the Houses would have been
 “ as forward to join in an Order, for the suppress-
 “ sing of such Tumults, as they were, not long
 “ before, upon another occasion, when they made
 “ an Order to that purpose; whereas those Officers
 “ and Soldiers, which committed that Violence
 “ upon so many of the Citizens at *White-Hall*, were
 “ cherished and fostered in his Majesty’s House;
 “ and when, not long after, the Common-Council
 “ of *London* presented a Petition to his Majesty for
 “ reparation of those Injuries, his Majesty’s Answer
 “ was, without hearing the proof of the Complaints,
 “ that if any Citizen were wounded or ill treated,
 “ his Majesty was confidently assured, that it
 “ happened by their own evil, and corrupt De-
 “ meanours.

“ They said, they hoped, it could not be thought
 “ contrary to the Duty and Wisdom of a Parlia-
 “ ment, if many concurring, and frequently reite-
 “ rated, and renewed Advertisements from *Rome*,

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“ *Venice, Paris, and other Parts; if the Solicita-*
“ *tions of the Pope’s Nuncio, and their own dis-*
“ *contented Fugitives, did make them jealous,*
“ *and watchful for the safety of the State; and they*
“ *had been very careful to make their expressions*
“ *thereof so easy, and so plain to the Capacity*
“ *and Understanding of the People, that nothing*
“ *might justly stick with them, with Reflection*
“ *upon the Person of his Majesty: wherein they*
“ *appealed to the judgment of any indifferent Per-*
“ *son, who should read and peruse their own words.*

“ They said, they must maintain the ground of
“ their Fears to be of that moment, that they could
“ not discharge the Trust and Duty that lay upon
“ them, unless they did apply themselves to the use
“ of those means, to which the Law had enabled
“ them in cases of that nature, for the necessary
“ Defence of the Kingdom; and as his Majesty
“ did graciously declare, that the Law should be
“ the measure of his Power; so did they most
“ heartily profess, that they should always make it
“ the Rule of their Obedience. Then they ob-
“ served, that there were certain Prudent Omissions
“ in his Majesty’s Answer; and said; that the next
“ Point of their Declaration, was, with much cau-
“ tion, artificially passed over by him who drew
“ his Majesty’s Answer; it being indeed the Foun-
“ dation of all Their misery, and his Majesty’s
“ trouble, that he was pleased to hear general Taxes
“ upon his Parliament, without any particular
“ Charge, to which they might give satisfaction;
“ and that he had often conceived Displeasure

“ against particular Persons, upon Misinformation; and although those Informations had been clearly proved to be false, yet he would never bring the Accusers to question; which did by an impossibility upon honest men of clearing themselves, and gave an encouragement to false, and unworthy Persons to trouble him with untrue and groundless Informations. Three particulars they had mentioned in their Declaration, which the Penner of his Majesty's Answer had good cause to omit: the Words supposed to have been spoken at *Kensington*; the pretended Articles against the Queen; and the groundless Accusation of the six Members of Parliament; there being nothing to be said in Defence, or Denial of any of them.

“ Concerning his Majesty's desire to join with his Parliament, and with his faithful Subjects, in defence of Religion, and the public Good of the Kingdom, they said, they doubted not he would do it fully, when evil Counsellors should be removed from about him; and until That should be, as they had showed before of Words, so must they also say of Laws, that They could not secure them: witness the Petition of Right, which had been followed with such an Inundation of illegal Taxes, that they had just cause to think, that the payment of eight hundred and twenty thousand pounds, was an easy burden to the Commonwealth in exchange of them; and they could not but justly think, that if there were a continuance of such ill Counsellors, and Favor to them, they would, by some wicked Device or

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“ other, make the Bill for the Triennial Parliament,
“ and those other excellent Laws mentioned in his
“ Majesty’s Declaration, of less value than Words.
“ That excellent Bill for the continuance of this
“ Parliament, they said, was so necessary, that
“ without it, they could not have raised so great
“ Sums of Money for the Service of his Majesty
“ and the Common-wealth, as they had done, and
“ without which the ruin and destruction of the
“ Kingdom, must needs have followed: and, they
“ were resolved, the gracious favor of his Majesty,
“ expressed in that Bill, and the advantage and
“ security which thereby they had from being Dis-
“ solved, should not encourage them to do any
“ thing, which otherwise had not been fit to have
“ been done. And they were ready to make it good
“ before all the world, that though his Majesty
“ had passed many Bills very advantageous for the
“ Subject, yet in none of them had they bereaved
“ his Majesty of any just, necessary, or profitable
“ Prerogative of the Crown.

“ They said, they so earnestly desired his Majesty’s
“ Return to *London*, for that upon It, they con-
“ ceived, depended the very Safety, and Being of
“ both his Kingdoms: and therefore they must
“ protest, that as for the time past, neither the Go-
“ vernment of *London*, nor any Laws of the Land,
“ had lost their Life and Force for his security, so
“ for the Future they should be ready to Do, or Say
“ any thing, that might stand with the Duty, or
“ Honor of a Parliament, which might raise a mu-
“ tual Confidence between his Majesty and them,

“ as They did wish, and as the Affairs of the King- B O O K
 “ dom did require. V.

“ Thus far, they said, the Answer to that, which
 “ was called his Majesty's Declaration, had led
 “ them. Now they came to that, which was enti-
 “ tled his Majesty's Answer to the Petition of both
 “ Houses, presented to him at *York* the 26th of
 “ *March* 1642. In the beginning whereof, his Ma-
 “ jesty wished, that their Privileges on all parts were
 “ so stated, that That way of Correspondency
 “ might be preserved with that Freedom, which
 “ had been used of old. They said, they knew
 “ nothing introduced by them, that gave any Impe-
 “ diment thereunto; neither had they affirmed their
 “ Privileges to be broken, when his Majesty denied
 “ them any thing, or gave a Reason why he could
 “ not grant it; or that those, who advised such
 “ Denial, were Enemies to the Peace of the King-
 “ dom, and Favorers of the Irish Rebellion; in
 “ which Aspersions, that was turned to a general as-
 “ sertion, which, in their Votes, was applied to a
 “ Particular case; wherefore they must maintain
 “ their Votes, that to contradict That, which both
 “ Houses, in the Question concerning the Militia,
 “ had declared to be Law, and Command it should
 “ not be obeyed, is a high breach of Privilege, and
 “ that those, who advised his Majesty to absent
 “ himself from his Parliament, were Enemies to the
 “ Peace of the Kingdom, and justly to be suspected
 “ to be Favorers of the Rebellion in *Ireland*. The
 “ reasons of both were Evident, because, in the
 “ First, there was as great a derogation from the

BOOK V. " Trust and Authority of Parliament; and, in the
 " Second, as much advantage to the proceedings,
 " and hopes of the Rebels, as might be; and they
 " held it a very causeless Imputation upon the Par-
 " liament, that they had therein any way impeached,
 " much less taken away the freedom of his Majesty's
 " Vote; which did not import a liberty in his Majes-
 " ty, to deny Any thing how necessary soever for
 " the Preservation of the Kingdom, much less a
 " Licence to evil Counsellors, to advise any thing,
 " though never so destructive to his Majesty and
 " his People.

" By the Message, of the twentieth of *January*,
 " his Majesty had propounded to both Houses of
 " Parliament, that they would, with all speed, fall
 " into a serious consideration of all those Particulars
 " which they thought necessary, as well for the
 " upholding and maintaining of his Majesty's Just,
 " and Regal Authority, and for the settling his
 " Revenue, as for the present and future establishing
 " their Privileges; the free and quiet enjoying their
 " Estates; the Liberties of their Persons; the Secu-
 " rity of the true Religion, professed in the Church
 " of *England*; and the settling of Ceremonies, in
 " such a manner, as might take away all just Offence,
 " and digest it into one entire Body.

" To that point of upholding, and maintaining
 " his Royal Authority, They said, nothing had
 " been done to the prejudice of it, that should re-
 " quire any new Provision: To the other of settling
 " the Revenue, the Parliament had no way abrid-
 " ged, or disordered his just Revenue; but it was
 true,

" true, that much Waste, and Confusion of his Majesty's Estate, had been made by those evil and unfaithful Ministers, whom he had employed in the managing of it; whereby his own ordinary Expenses would have been disappointed, and the Safety of the Kingdom more endangered. if the Parliament had not, in some measure, provided for his Household, and for some of the Forts, more than they were bound to do; and they were still willing to settle such a Revenue upon his Majesty, as might make him live Royally, Plentifully, and Safely; but they could not, in Wisdom, and Fidelity to the Common-wealth, do that, till he should chuse such Counsellors and Officers, as might order and dispose it to the Public Good, and not apply it to the Ruin, and Destruction of his People, as heretofore it had been. But that, and the other matters concerning themselves, being works of great Importance, and full of intricacy, would require so long a time of Deliberation, that the Kingdom might be ruined before they could effect them: Therefore they thought it necessary, first to be Suitors to his Majesty, so to order the Militia, that, the Kingdom being secured, they might, with more ease and safety, apply themselves to debate of that Message, wherein they had been interrupted, by his Majesty's denial of the Ordinance concerning the same; because it would have been in vain for them to Labor in other things, and in the mean time, to leave themselves naked to the malice of so many Enemies, both at Home and Abroad; yet they

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“ had not been altogether negligent of those things,
 “ which his Majesty had been pleased to propound
 “ in that Message: They had agreed upon a Book
 “ of Rates in a larger proportion, than had been
 “ granted to any of his Majesty's Predecessors, which
 “ was a considerable support of his Majesty's pu-
 “ blic Charge; and had likewise prepared divers
 “ Propositions, and Bills, for preservation of their
 “ Religion and Liberties, which they intended
 “ shortly to present to his Majesty; and to do what-
 “ soever was fit for them, to make up that unplea-
 “ sant breach between his Majesty and the Par-
 “ liament.

“ Whereas divers exceptions had been taken con-
 “ cerning the Militia; first, that his Majesty never
 “ denied the Thing, but accepted the Persons (ex-
 “ cept for Corporations) only that he denied the
 “ Way; to which they Answered, That that Ex-
 “ ception took off *London*, and all other great
 “ Towns and Cities, which make a great part of
 “ the Kingdom; and for the Way of Ordinance,
 “ it is ancient, more speedy, more easily alterable,
 “ and in all these, and other respects, more proper,
 “ and more applicable to the present occasion, than
 “ a Bill; which his Majesty called the good Old
 “ Way of imposing upon the Subjects: It should
 “ seem, that neither his Majesty's Royal Prede-
 “ cessors, nor their Ancestors, had heretofore been
 “ of that opinion; 39. *Ed. III.* they said, they found
 “ this Record, The Chancellor made Declaration
 “ of the Challenge of the Parliament; the King de-
 “ sires to know the griefs of his Subjects, and to

“ redress Enormities. The last day of the Parliament,
 “ the King demanded of the whole Estates, whether
 “ they would have such things as they agreed on,
 “ by way of Ordinance, or Statute? who Answered
 “ by way of Ordinance, for that they might amend
 “ the same at their pleasures; and so it was.

“ But his Majesty objected further, that there was
 “ somewhat in the Preface, to which he could not
 “ consent with justice to his Honor and Innocence;
 “ and that thereby he was Excluded from any
 “ power in the disposing of it. These Objections
 “ they said, might seem somewhat, but indeed
 “ would appear nothing, when it should be con-
 “ sidered, that nothing in the Preamble laid any
 “ charge upon his Majesty, or in the body of the
 “ Ordinance, that excludes his Royal Authority in
 “ the disposing, or execution of it: But only it was
 “ provided, that it should be signified by both
 “ Houses of Parliament, as that Channel, through
 “ which it would be best derived, and most cer-
 “ tainly to those ends for which it was intended;
 “ and let all the World judge whether they had
 “ not reason to insist upon it, that the strength of
 “ the Kingdom should rather be ordered according
 “ to the Advice, or Direction of the great Council
 “ of the Land, intrusted by the King, and by the
 “ Kingdom, than that the safety of the King, Par-
 “ liament, and Kingdom, should be left at the devo-
 “ tion of a few unknown Counsellors, many of
 “ them not intrusted at all by the King in any public
 “ way, nor at all Confided in by the Kingdom.

“ They wished the Danger were not Imminent,

BOOK V. " or not still continuing, but could not conceive;
 " that the long time spent in that debate was evi-
 " dence sufficient, that there was no such necessity
 " or danger, but a Bill might easily have been pre-
 " pared; for, when many causes do concur to the
 " danger of a State, the interruption of any one
 " might hinder the execution of the rest, and yet
 " the design be still kept on foot, for better oppor-
 " tunities. Who knew, whether the ill success of
 " the Rebels in *Ireland* had not hindered the Insur-
 " rection of the Papists here? Whether the prefer-
 " vation of the six Members of the Parliament,
 " falsely accused, had not prevented that Plot of the
 " breaking the neck of this Parliament, of which
 " they were informed from *France*, not long before
 " they were accused; Yet since his Majesty had
 " been pleased to express his pleasure rather for a
 " Bill, than an Ordinance, and that he sent in one
 " for that purpose, they readily entertained it; and,
 " with some small and necessary alterations, speedily
 " passed the same. But contrary to the custom
 " of Parliament, and their expectation, grounded
 " upon his Majesty's own Invitation of them to
 " that way, and other reasons manifested in their
 " Declaration concerning the Militia, of the fifth
 " of *May*, instead of the Royal Assent, they met
 " with an absolute Refusal.

" For their Votes of the fifteenth and sixteenth
 " of *March*, they said, if the Matter of those Votes
 " were according to Law, they hoped his Majesty
 " would allow the Subjects to be bound by them,
 " because he had said, he would make the Law the

“ Rule of his power; and if the Question were, B O O K
 “ whether that were Law, which the Lords and V.
 “ Commons had once declared to be so, who should
 “ be the judge? Not his Majesty; for the King
 “ judgeth not of Matters of Law, but by his
 “ Courts; and his Courts, though sitting by His
 “ Authority, expected not his Assent in Matters of
 “ Law: nor any other Courts; for they could not
 “ judge in that case, because they were Inferior,
 “ no Appeal lying to them from Parliament, the
 “ judgment whereof is, in the eye of the Law, the
 “ King’s judgment in his highest Court, though the
 “ King in his Person be neither present, nor assen-
 “ ting thereunto.

“ *The Votes at which his Majesty took exception
 were these:*

1. “ That the King’s Absence so far remote from
 “ his Parliament, was not only an Obstruction,
 “ but might prove a Destruction to the Affairs of
 “ Ireland.

2. “ That when the Lords and Commons shall
 “ declare what the Law of the Land is, to have
 “ this not only questioned and controverted, but
 “ contradicted, and a Command that it should Not
 “ be obeyed, was a high Breach of the Privilege
 “ of Parliament.

3. That those Persons, who advised his Majesty
 “ to absent himself from the Parliament, are Ene-
 “ mies to the Peace of the Kingdom, and justly
 “ may be suspected to be favorers of the Rebellion
 “ in Ireland.

“ That the Kingdom had been of late, and still

BOOK V. “ was, in so Imminent danger, both from Enemies
“ abroad, and from a Popish and Discontented
“ Party at home, that there was an urgent, and
“ inevitable necessity of putting his Majesty’s Sub-
“ jects into a posture of Defence, for the safeguard
“ both of his Majesty and his People.

“ That the Lords and Commons, fully apprehend-
“ ing this Danger, and being sensible of their own
“ Duty, to provide a suitable Prevention, had, in
“ several Petitions, addressed themselves to his
“ Majesty for the ordering, and disposing the Militia
“ of the Kingdom in such a way, as was agreed upon,
“ by the wisdom of both Houses, to be most, effec-
“ tual; and proper for the present Exigence of the
“ Kingdom; yet could not obtain it; but his Majesty
“ did, several times, refuse to give his Royal Assent
“ thereunto.

“ That, in this case of extreme Danger and his
“ Majesty’s Refusal, the Ordinance of Parliament,
“ agreed upon by both Houses, for the Militia, doth
“ oblige the People, and ought to be obeyed, by
“ the Fundamental Laws of this Kingdom.

“ By all which, they said, it did appear, that there
“ had been no color of that Tax, that they went about
“ to introduce a new Law, much less to exercise an
“ Arbitrary power, but indeed to prevent it: for this
“ Law was as old as the Kingdom; that the Kingdom
“ must not be without a means to preserve itself;
“ which that it might be done without confusion, this
“ Nation had intrusted certain Hands with Power to
“ provide, in an orderly and regular way, for the
“ Good and Safety of the Whole; which Power, by

“ the Constitution of the Kingdom, was in his Majesty, and in his Parliament together: yet since the Prince, being but one Person, is more subject to accidents of Nature and Chance, whereby the Common-wealth may be deprived of the Fruit of that Trust, which was, in part, reposed in him; in cases of such Necessity, that the Kingdom may not be enforced presently to return to it's first Principles, and every man left to do what is right in his own Eyes, without either Guide or Rule; the Wisdom of this State hath intrusted the Houses of Parliament with a power to supply, what should be wanting on the part of the Prince, as is evident by the constant Custom, and Practice thereof, in cases of Nonage, natural Disability, and Captivity; and the like reason doth, and must hold for the exercise of the same Power in such cases, where the Royal Trust cannot be, or is not discharged, and that the Kingdom runs an Evident, and Imminent Danger thereby; which Danger having been declared by the Lords and Commons in Parliament, there needs not the Authority of any Person or Court to affirm, nor is it in the power of any Person or Court to revoke, that Judgment.

“ They said, they knew, the King had ways enough, in his ordinary Courts of Justice, to punish such seditious Pamphlets and Sermons, as were any ways prejudicial to his Rights, Honor, and Authority; and if any of them had been so insolently violated and vilified, his Majesty's own Council and Officers had been to

B O O K. " blame, and not the Parliament : They never had
Y. " restrained any proceedings of that kind in other
" Courts, nor refused any fit complaint to Them. The
" Protestation Protested, had been referred by the
" Commons House to a Committee, and, the Author
" being not produced, the Printer committed to
" Prison, and the Book Voted by that Committee to
" be burned ; but Sir *Edward Deering*, who was to
" make that Report of the Votes of that Committee,
" neglected to make it. The Apprentices Protestation
" was never complained of ; but the other seditious
" Pamphlet, *To your Tents O Israel*, was once
" questioned, and the full prosecution of it was not
" interrupted by any fault of either House, whole forwardness
" to do his Majesty all right therein might plainly appear, in that a
" Committee of Lords and Commons was purposely appointed, to take
" such Informations as the King's Council should present concerning
" seditious Words, Practices or Tumults, Pamphlets or Sermons,
" tending to the derogation of his Majesty's Rights or Prerogative,
" and his Council had been enjoined by that Committee, to inquire
" and present them ; who several times met thereupon, and received
" this Answer and Declaration from the King's Council, that they
" knew of no such thing as yet.
" They said, if his Majesty had used the Service of such a One in
" penning that Answer, who understood the Laws and Government of
" this Kingdom, he would not have thought it Legally in his power
" to deny his Parliament a Guard, when they stood in need of it ; since every ordinary

“ Court hath it : neither would his Majesty , if he
“ had been well informed of the Laws, have refused
“ such a Guard , as they desired, it being in the
“ power of Inferior Courts to command their own
“ Guard ; neither would he have imposed upon them
“ such a Guard , under a Commander which they
“ could not have Confided in ; which is clearly
“ against the Privileges of Parliament, and of which
“ they found very dangerous effects ; and therefore
“ desired to have it discharged ; But such a Guard ,
“ and so Commanded , as the Houses of Parliament
“ desired , they could never obtain of his Majesty ;
“ and the placing a Guard about them , contrary to
“ their desire , was not to grant a Guard to them ,
“ but in the effect to set one Upon them : all which
“ considered , they believed, in the judgment of any
“ Indifferent Persons , it would not be thought
“ strange , if there were a more than ordinary resort
“ of People to *Westminster* , of such as came willingly
“ of their own accord to be Witnesses , and Helpers
“ of the safety of Them , whom all his Majesty’s
“ good Subjects are bound to defend from Violence ,
“ and Danger ; or that such a Concourse as that (they
“ carrying themselves quietly and peaceably , as they
“ did) ought in his Majesty’s apprehension, or could,
“ in the interpretation of the Law , be held Tumul-
“ tuary and Seditious.

“ They said when his Majesty , in that Question
“ of Violation of the Laws , had expressed the ob-
“ servation of them indefinitely, without any limita-
“ tion of Time , although they never said , or
“ thought any thing, that might look like a Reproach

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“ to his Majesty, yet they had reason to remember
“ that it had been otherwise, lest they should seem
“ to desert their former Complaints, and Proceedings
“ thereupon, as his Majesty did seem but little to
“ like or approve them; for though he did acknow-
“ ledge here that great Mischief, that grew by that
“ Arbitrary Power then complained of; yet such
“ were continually preferred and countenanced, as
“ were Friends, or Favorers, or Related to chief
“ Authors and Actors of that Arbitrary Power. and,
“ of those false colors, and suggestions of Imminent
“ danger and necessity, whereby they did make it
“ plausible unto his Majesty: and, on the other side,
“ such, as did appear against them were daily dis-
“ countenanced, and disgraced: which whilst it
“ should be so, they had no reason to believe the
“ disease to be yet killed, and dead at Root, and
“ therefore no Reason to bury it in Oblivion; and,
“ whilst they beheld the Spawns of those mischievous
“ Principles cherished, and fostered in that new
“ generation of Counsellors, Friends and Abettors
“ of the former, or at least Concurring with them in
“ their Malignancy against the proceeding of this
“ Parliament, they could not think themselves
“ secure from the like, or a worse danger.

“ They observed, the Penner of his Majesty’s
“ Answer bestowed here an admonition upon the
“ Parliament, bidding them take heed They fell not
“ upon the same error, upon the same suggestions;
“ but, they said, he might well have spared that,
“ till he could have showed wherein they had exer-
“ cised any power, otherwise than by the Rule of

“ the Law ; or could have found a more Authentic, B O O K
 “ or a Higher Judge in matters of Law , than the V.
 “ high Court of Parliament.

“ It was declared , in his Majesty's Name , that he
 “ resolved to keep the Rule Himself , and to his
 “ power , to require the same of all others. They
 “ said , they must needs acknowledge , that such a
 “ resolution was like to bring much happiness and
 “ blessing to his Majesty , and all his Kingdoms ;
 “ yet , with humility , they must confess , they had
 “ not the Fruit of it in that Case of the Lord *Kimbol-*
 “ *ton*, and the other five Members , accused contrary
 “ to Law , both Common and the Statue-Law ; and
 “ yet remained unsatisfied : Which Case had been
 “ remembered , in their Declaration , as a strange
 “ and unheard of Violation of their Laws : But the
 “ Penner of that Answer thought fit to pass it over ,
 “ hoping that many would read his Majesty's
 “ Answer , which had been so carefully dispersed ,
 “ who would not read their Declaration.

“ Whereas , after their ample thanks , and acknow-
 “ ledgment of his Majesty's favor in passing many
 “ good Bills , they had said , that truth and necessity
 “ inforced them to add this , that in , or about the
 “ time of passing those Bills , some Design or other
 “ had been on foot , which , if it had taken effect ,
 “ would not only have deprived them of the Fruit
 “ of those Bills , but would have reduced them to a
 “ worse condition of confusion , than that wherein
 “ the Parliament found them : it was now told them ,
 “ that the King must be most sensible of what they
 “ had cast upon him , for the requital of those good

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“ Bills ; whereas , out of their usual tendernefs of his Majesty’s honor, they did not mention Him at all ; but fo injurious, they faid were thofe wicked Counfellors to the Name, and Honor of their Mafter and Sovereign, that, as much as they could, they laid their own Infamy and Guilt upon His Shoulders.

“ Here they observed , God alfo was called to witnefs his Majesty’s upright intentions at the paffing of thofe Laws ; which , they faid, they would not question, neither did they give any occafion for fuch a folemn Affelevation, as that was ; the Devil was likewise defied to prove there was any defign, with his Majesty’s knowledge or privity. That might well have been fpared ; for they fpake nothing of his Majesty : but fince they were fo far taxed, as to have it affirmed , that they had laid a falfe , and notorious Imputation upon his Majesty, they thought it neceffary, for the juft defence of their own Innocency , to caufe the Oaths and Examinations, which had been taken, concerning the Defign, to be publifhed in a full Narration, for fatisfaction of all his Majesty’s Subjects ; out of which they would now offer fome few Particulars, by which the world might judge, whether they could proceed with more tendernefs towards his Majesty, than they had done. Mr. *Goring* confeffed , that the King firft asked him , whether he were engaged in any Cabal concerning the Army ? and commanded him to join with Mr *Piercy* , and Mr. *Jermyn* , and fome others whom they fhould find at Mr. *Piercy*’s Chamber ; where they

“ took the Oath of Secrecy, and then debated B O O K
 “ of a design proposed by Mr. *Jermyn*, to secure the V.
 “ Tower, and to consider of bringing up the Army
 “ to *London*: and Captain *Leg* confessed, he had
 “ received the draught of a Petition; in the King’s
 “ presence; and his Majesty acknowledgeth, it was
 “ from his own Hand: and whosoever reads the
 “ Sum of that Petition, as it was proved by the
 “ Testimony of Sir *Jacob Aspley* Sir *John Conyers*,
 “ and Captain *Leg*, will easily perceive some Points
 “ in it apt to beget in them some Discontents against
 “ the Parliament. And could any man believe there
 “ was no Design in the Accusation of the Lord *Kim-*
 “ *bolton*, and the rest, in which his Majesty doth
 “ avow himself to be both a Commander, and an
 “ Actor? These things being so, it would easily
 “ appear to be as much against the Rules of Pru-
 “ dence, that the Penner of that Answer should
 “ entangle his Majesty in that unnecessary Apology,
 “ as it was against the Rules of Justice, that any
 “ Reparation from Them should be either yielded,
 “ or demanded.

“ It was professed, in his Majesty’s Name, that
 “ he is truly sensible of the Burdens of his People;
 “ which made them hope that he would take that
 “ course, which would be most effectual to ease
 “ them of those burdens, that was, to join with
 “ his Parliament in preserving the Peace of the
 “ Kingdom, which, by his Absence from them,
 “ had been much endangered; and which, by hin-
 “ dering the voluntary Adventurers for the recovery
 “ of *Ireland*, and disabling the Subjects to discharge

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“ the great Tax imposed on them, was like to make
“ the War much more heavy to the Kingdom.
“ And for his Majesty's Wants, the Parliament had
“ been no cause of them; They had not diminished
“ his just Revenue, but had much eased his Public
“ Charge, and somewhat his Private; and they
“ should be ready, in a Parliamentary way, to settle
“ his Revenue in such an Honorable proportion,
“ as might be answerable to both, when he should
“ put himself into such a posture of Government,
“ that his Subjects might be secure to enjoy his
“ just Protection for their Religion, Laws, and
“ Liberties.

“ They said, they never refused his Majesty's
“ gracious Offer, of a free and general Pardon, only
“ they said, it could be no Security to their present
“ Fears and Jealousies: and they gave a Reason for
“ it; that those Fears did not arise out of any Guilt
“ of their own Actions, but out of the evil Designs
“ and Attempts of others; and they left the World
“ to judge, whether They therein had deserved so
“ heavy a Tax and Exclamation? (That it was a
“ strange World, when Princes, proffered Favors
“ were counted Reproaches: such were the words
“ of his Majesty's Answer) who did esteem that
“ Offer as an Act of Princely Grace and Bounty,
“ which, since the Parliament begun, they had
“ humbly desired they might obtain, and did still
“ hold it very necessary, and advantageous for the
“ generality of the Subject, upon whom the Taxes
“ and Subsidies lie heaviest: but, they said, they
“ saw, upon every Occasion, how unhappy they

“ were in his Majesty’s misapprehensions of their Words, and Actions. B O O K
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“ They said, they were fully of the King’s mind, as it was there declared, that he might rest so secure of the Affections of his Subjects, that he should not stand in need of Foreign Force to preserve him from Oppression; and were confident that he should never want an abundant evidence of the good Wishes, and Assistance of his whole Kingdom; especially if he would be pleased to hold to that gracious Resolution of building upon that sure Foundation, the Law of the Land; but why his Majesty should take it ill, that they, having received Informations so deeply concerning the safety of the Kingdom, should think them fit to be considered of, they could not conceive; for although the Name of the Person was unknown, yet that which was more substantial to the probability of the report was known, that is, that he was servant to the Lord *Digby*; who, in his presumptuous Letter to the Queen’s Majesty, and other Letters to Sir *Lewis Dives*, had intimated, some wicked Proposition, suitable to that Information; but that this should require Reparation, they held it as far from Justice, as it was from Truth that they had mixed any Malice with those Rumors, thereby to feed the Fears and Jealousies of the People.

“ It was affirmed, that his Majesty was driven From them, but not By them; yet perchance, they said, hereafter, if there should be opportunity of gaining more credit, there would not be wanting

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“ who would suggest unto his Majesty, that it
“ was done By them: and if his Majesty were
“ driven from them, they hoped it was not by his
“ own Fears, but by the Fears of the Lord *Digby*,
“ and his Retinue of Cavaliers; and those no Fears
“ of any Tumultuary violence, but of their just
“ punishment for their manifold insolence, and in-
“ tended violence against the Parliament: And this
“ was expressed by the Lord *Digby* himself, when
“ he told those Cavaliers, that the principal cause
“ of his Majesty’s going out of Town, was to save
“ Them from being trampled in the Dirt: but of
“ his Majesty’s Person, there was no cause of Fear;
“ in the greatest heat of the People’s Indignation,
“ after the Accusation, and his Majesty’s violent
“ coming to the House, there was no show of any
“ evil Intention against his Regal Person; of which
“ there could be no better Evidence than this, that
“ he came the next day without a Guard into the
“ City, where he heard nothing but Prayers and
“ Petitions, no Threatenings, or irreverent Speeches,
“ that might give him any just occasions of Fear,
“ that They had heard of, or that his Majesty ex-
“ pressed; for he staid near a week after at *White-*
“ *Hall*, in a secure and peaceable Condition: where-
“ by they were induced to believe, that there was
“ no difficulty, or doubt at all, but his Majesty’s
“ residence near *London* might be as safe, as in any
“ part of the Kingdom. They said, they were most
“ assured of the faithfulness of the City, and Sub-
“ urbs; and for Themselves, they should quicken
“ the Vigor of the Laws, and Industry of the
Magistrate,

“ Magistrate, the Authority of Parliament, for the
 “ suppressing of all Tumultuary Insolence what-
 “ soever, and for the vindicating of his Honor from
 “ all insupportable and insolent Scandals, if any such
 “ shall be found to be raised upon him, as were
 “ mentioned in that Answer: and therefore they
 “ thought it altogether unnecessary, and exceeding
 “ inconvenient, to Adjourn the Parliament to any
 “ other place.

“ Where the desire of a good understanding, be-
 “ twixt the King and Parliament, was on both sides
 “ so earnest, as was there professed by his Majesty
 “ to be in Him, and they had sufficiently testified
 “ to be in Themselves, it seemed strange they
 “ should be, they said, so long asunder; it could
 “ be nothing else but evil and malicious counsel in
 “ misrepresenting their Carriage to his Majesty, and
 “ in disposing his favor to them. And as it should
 “ be far from them to take any advantage of his
 “ Majesty's supposed straits, as to desire, much
 “ less to Compel, him to that, which his Honor or
 “ Interest might render unpleasant, or grievous to
 “ him; so, they hoped, his Majesty would not
 “ make his own Understanding or Reason the Rule
 “ of his Government; but would suffer himself to
 “ be assisted with a wise and prudent Council, that
 “ might deal faithfully betwixt Him and his People:
 “ and that he would remember, that His Resolu-
 “ tions did concern Kingdoms; and therefore ought
 “ not to be moulded by his own, much less by
 “ any Private Person's, which was not alike pro-
 “ portionable to so great a Trust: And therefore

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“ they still desired and hoped, that his Majesty
“ would not be guided by his own understanding,
“ or think those courses, Straits and Necessities,
“ to which he should be advised by the Wisdom
“ of both Houses of Parliament; which are the Eyes
“ in the Politic Body, whereby his Majesty was,
“ by the Constitution of the Kingdom, to discern
“ the differences of those things, which concern the
“ Public Peace and Safety thereof.

“ They said, they had given his Majesty no cause
“ to say, that they did meanly value the discharge
“ of his public duty; whatsoever Acts of Grace or
“ Justice had been done, they proceeded from his
“ Majesty by the Advice and Counsel of his Parlia-
“ ment, yet they had, and should always Answer
“ them with constant gratitude; and obedience,
“ and affection; and although many things had been
“ done, since this Parliament, of another nature,
“ yet they should not cease to desire the continued
“ Protection of Almighty God upon his Majesty,
“ and most humbly Petition him to cast from him
“ all those evil, and contrary Counsels, which had,
“ in many Particulars formerly mentioned, much
“ detracted from the Honor of his Government, the
“ Happiness of his own Estate, and Prosperity of
“ his People.

“ And having passed so many Dangers from abroad,
“ so many Conspiracies at home, and brought on
“ the public Work so far, through the greatest dif-
“ ficulties that ever stood in opposition to a Parlia-
“ ment, to such a degree of success, that nothing
“ seemed to be left in the way able to hinder the

“ full Accomplishment of their Desires, and Endeavours for the public Good, unless God in his Justice did send a grievous curse upon them, as to turn the strength of the Kingdom against itself, and to effect that by their own Folly and Credulity, which the Power and Subtily of their Enemies could not attain, that was, to divide the People from the Parliament, and to make them serviceable to the Ends, and Aims of those who would destroy them: Therefore they desired the Kingdom to take notice of that last most desperate, and mischievous Plot of the Malignant Party; that was acted and prosecuted in many parts of the Kingdom, under plausible notions of stirring them up to a care of preserving the King's Prerogative; maintaining the Discipline of the Church; upholding and continuing the Reverence, and Solemnity of God's Service; and encouraging of Learning: And, upon those grounds, divers mutinous Petitions had been framed in *London, Kent,* and other Counties; and sundry of his Majesty's Subjects, had been solicited to declare themselves for the King against the Parliament; and many false and foul Aspersions had been cast upon their Proceedings, as if they had been not only negligent, but averse in those Points; whereas they desired nothing more, than to maintain the purity and power of Religion, and to honor the King in all his just Prerogatives; and for encouragement and advancement of Piety and Learning, they had very earnestly endeavoured, and still did, to the utmost of their power, that all Parishes might

BOOK V. " have Learned, Pious, and Sufficient Preachers;
" and all such Preachers, competent Livings.

" Many other Bills and Propositions, they said,
" were in preparation, for the King's profit and
" honor, the People's safety and prosperity; in the
" proceedings whereof, they were much hindered
" by his Majesty's Absence from the Parliament;
" which was altogether contrary to the Use of his
" Predecessors, and the Privilege of Parliament,
" whereby their Time was consumed by a multitude
" of unnecessary Messages, and their Innocency
" wounded by causeless and sharp Invectives; yet
" they doubted not but they should overcome all
" this at last, if the People suffer not themselves to
" be deluded with false and specious shows, and so
" drawn to betray Them to their own undoing,
" who had ever been willing to hazard the undoing
" of themselves, that They might not be betrayed,
" by their neglect of the Trust reposed in them:
" But if it were not possible they should prevail here-
" in, yet they would not fail, through God's Grace,
" still to persist in their Duties, and to look beyond
" their own Lives, Estates, and Advantages, as
" those who think nothing worth the enjoying with-
" out the Liberty, Peace, and Safety of the Kingdom;
" nor any thing too good to be hazarded, in dis-
" charge of their Consciences, for the obtaining of
" it: And should always repose themselves upon the
" Protection of Almighty God, which, they were
" confident would never be wanting to them (while
" they fought His Glory) as they had found it,

“ hitherto , wonderfully going along with them , in B O O K
 “ all their Proceedings.” V.

With this Declaration they published the Examinations of Mr. *Goring*, Mr. *Piercy's* Letter to the Earl of *Northumberland* ; which were the great Evidence they had of the Plot of bringing up the Army, to awe the Parliament ; and several other Letters and Depositions, or rather such parts of Depositions, as contributed most to their purpose. For the truth is, as they never published, so much to the Houses which were to Judge, many Depositions of Witnesses, whose Testimonies, in a manner, vindicated the King from those Aspersions, which they had a mind should stick upon him (for many such there were) so of those which they did publish, they left out many parts, which, being added, would either have obscured, or contradicted, or discredited much of that, out of which they made the People believe much to the King's disservice. And yet with all those ill Arts and Omissions, I presume many, who without passion do now read those Depositions (for they are in all hands to be read) do much marvel how such conclusions could result to his Majesty's disadvantage, out of the worst part of all that Evidence ; which could not, naturally, carry that sense to which it was wrested.

About this time (which I shall mention before the other Declaration, because it intervened) there happened an Accident that gave them much trouble, and the more, because unlooked for, by the Lord Keeper's quitting them and resorting to *York*, by which the King got the possession of his own Great

B O O K V. Seal; which by all Parties was, at that time, thought a most considerable advantage. The King was very much unsatisfied with the Lord Keeper *Lyttleton*; who did not appear so useful for his Service as he expected, and, from the time of the Accusing the Members, had lost all his Vigor, and instead of making any oppositions to any of their extravagant Debates, he had silently suffered all things to be carried; and had not only declined the performing the Office the King had enjoined him, with reference to the Earls of *Essex* and *Holland* (before mentioned) but very much complied with, and courted that Party of both Houses, which frequently resorted to him; and of late in a question, which had been put in the House of Peers, in the point of the Militia, he had given his Vote both against the King and the Law, to the infinite offence and scandal of all those who adhered to the King.

He was a man of great reputation in the profession of the Law; for Learning, and all other advantages, which attend the most Eminent Men; he was of a very good extraction in *Shropshire*, and inherited a fair Fortune, and Inheritance from his Father; he was a handsome, and a proper Man, of a very graceful Presence, and notorious for Courage, which, in his Youth, he had manifested with this Sword; he had taken great pains in the hardest, and most knotty part of the Law, as well as that which was more customary, and was not only very read and expert in the Books, but exceedingly versed in Records, in studying and examining whereof, he had kept Mr. *Selden* company, with whom he had

great friendship, and who had much assisted him; so that he was looked upon the best Antiquary of the profession, who gave himself up to Practice; and upon the mere strength of his own abilities, he had raised himself into the first rank of the Practicers in the Common-Law-Courts, and was chosen Recorder of *London* before he was called to the Bench, and grew presently into the highest Practice in all the other Courts, as well as those of the Law. When the King looked more narrowly into his business, and found that he should have much to do in *Westminster-Hall*, he removed an old, useles, illiterate Person, who had been put into that Office by the favor of the Duke of *Buckingham*, and made *Lytleton* his Solicitor General, much to his Honor, but not to his Profit; the obligation of Attendance upon that Office, depriving him of much benefit he used to acquire by his Practice, before he had that relation. Upon the death of my Lord *Coventry*, *Finch* being made Keeper, He was made Chief Justice of the Common-Pleas, Then the best Office of the Law, and that which he was wont to say, in his highest Ambition, in his own private wishes, he had most desired; and it was indeed the Sphere in which he moved most gracefully, and with most advantage, being a master of all that Learning and knowledge, which that Place required, and an excellent Judge, of great Gravity, and above all suspicion of Corruption.

Whilst he held this place, he was by the favor of the Arch-Bishop of *Canterbury*, and the Earl of *Strafford*, who had a great esteem of him, recom-

BOOK v. mended to the King to be called to the Council-Table, where he kept up his good Name; and, upon the Lord *Finch's* leaving the Kingdom, in the beginning of the Parliament, he was thought, in many respects, to be the fittest to be intrusted in that Office; and, upon the desire of the Earl of *Strafford* after he was in the Tower, was created a Baron, out of expectation that, by his Authority and Knowledge of the Law, he would have been of great use in restraining those extraordinary, and unwarrantable Proceedings; but, from the time he had the Great Seal, he seemed to be out of his Element, and in some perplexity and irresolution in the Chancery itself, though he had great experience in the practice, and proceedings of that Court; and made not that despatch, that was expected, at the Council-Table; and in the Parliament he did not preserve any dignity; and appeared so totally dispirited, that few men showed any respect to him, but they who most opposed the King, who indeed did exceedingly apply themselves to him, and were with equal kindness received by him. This wonderful alteration in him, his Friends believed to have proceeded from a great sickness, which had seized upon him quickly after he was created a Baron, inasmuch as every Man believed he would die; and by this means, he did not attend the House in some Months; and so performed none of those Offices toward the Earl of *Strafford*, the expectation whereof had been the sole Motive to that promotion: From that time he never did appear the same Man; but sure there were Other causes for it, and he was

possessed with some melancholy apprehensions, which he could not master, and had no Friend to whom he durst entirely communicate them. BOOK
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Mr. *Hyde*, one of those who was most trusted by the King in the House of Commons, and had always had a great respect for the Keeper, was as much troubled at his behaviour, as any man; and using frequently to go to him, went upon that occasion; and with great freedom and plainness, told him, "how much he had lost the esteem of all Good men, and that the King could not but be exceedingly dissatisfied with him;" and discoursed over the matter of that Vote. Though He did not know, that the King did at that time put so great a secret Trust in Mr. *Hyde*, yet he knew very well, that the King had a very good opinion of him, and had heard his Majesty often, from the beginning of the Parliament, when the discourse happened to be of the Lawyers of the House, take an occasion from thence to mention Mr. *Hyde*, as a man of whom he heard very well; which the Keeper had many times taken notice of to him: and then he knew the Friendship that was between the Lord *Falkland* and Mr. *Hyde*, and had heard the many Jealousies which were contracted, upon the great communication he had with the two new Counsellors; and so no doubt believed, that he knew much of the King's mind. So that as soon as he had entered upon this discourse, which he heard with all attention (they being by themselves in his Study, at *Exeter-House*) He rose from his Chair, and went to the Door; and finding some Persons in the next Room,

B O O K he bad them to withdraw; and locking both the
V. Door of that Room, and of his Study, he sat down himself, and making Mr. *Hyde* sit down too, he begun "with giving him many thanks for his friendship to him, which, he said, he had ever esteemed, "and he could not more manifest the esteem he had "of It and Him, than by using that freedom again "with him, which he meant to do. Then he lamented his own condition; and that he had been "preferred from the Common-Pleas, where he "knew both the Business and the Persons he had "to deal with, to the other high Office he now "held, which obliged him to converse and transact "with another sort of Men, who were not known "to him, and in affairs, which he understood not, "and had not one Friend among them, with whom "he could confer upon any doubt, which occurred "to him."

He spoke then of the unhappy state and condition of the King's business; how much he had been, and was still, betrayed by Persons who were about him; and with all possible indignation against the proceedings of the Parliament; and said, "they would "never do This, if they were not resolved to do "More: that he knew the King too well, and observed the carriage of particular Men too much, "and the whole current of public Transactions "these last five or six Months, not to foresee that "it could not be long, before there would be a "War between the King and the two Houses; and "of the importance, in that Season, that the Great "Seal should be with the King." Then he fell into

many expressions of his Duty, and Affections to the King's Person, as well as to his high Degree: and
 " that no Man should be more ready, to perish
 " with, and for his Majesty, than He would be;
 " that the prospect he had of this necessity, had
 " made him carry himself towards that Party with
 " so much compliance, that he might be gra-
 " cious with them, at least, that they might have
 " no Distrust of him; which, he knew, many had
 " endeavoured to infuse into them; and that there
 " had been a consultation within few days, whether,
 " in regard he might be sent for by the King, or
 " that the Seal might be taken from him, it would
 " not be best to appoint the Seal to be kept in some
 " such secure place, as that there might be no danger
 " of losing it; and that the Keeper should always
 " receive it, for the execution of his Office; they
 " having no purpose to disoblige Him. And the
 " knowledge he had of this consultation, and fear
 " he had of the execution of it, had been the reason,
 " why in the late debate upon the Militia, he had
 " given his Vote in such a manner, as, he knew,
 " would make very ill impressions with the King,
 " and many others who did not know him very
 " well; but that, if he had not, in that Point, sub-
 " mitted to their opinion, the Seal had been taken
 " from him that Night; whereas by this compli-
 " ance in that Vote, which could only prejudice
 " Himself, and not the King, he had gotten so much
 " into their confidence, that he should be able to
 " preserve the Seal in his own hands, till the King

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BOOK " required it; and then he would be as ready to
V. " attend his Majesty with it.

Mr. *Hyde* was very well pleased with this discourse; and asked him, " whether he would give
" him leave, when there should be a fit occasion,
" to assure the King, that he would perform this
" Service, when the King should require it?" He
desired, " that he would do so, and pass his Word
" for the performance of it, as soon as his Majesty
" pleased; and so they parted."

END OF THE THIRD VOLUME.

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